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No. 91

## House of Representatives

The House met at 10 a.m.

Rev. Dr. Bruce Hargrave, Russia-U.S. Methodist Theological Seminary, Dallas, Texas, offered the following prayer:

O God, Who knows all things, knows all hearts, is in control of all things and Who allows each of us to have a measure of power and position, we acknowledge Your gifts to us and give You thanks. We thank You for the bountiful blessings You have poured out upon our country, its people, and each of us in this House.

O God, in these times of great challenge, we confess that in a rush to get things done we sometimes forget to seek Your guidance and wisdom. Forgive us, we pray.

We need Your wisdom, guidance and direction today, and ask You to grant it to each of us bountifully.

O God, lead each of us to a common goal of doing our best, doing the best for our fellow Americans, and doing the best we can to promote love for all mankind, peace for all mankind, and justice for all mankind.

We humbly ask all of this in the name of Jesus Christ. Amen.

### RECESS

The SPEAKER pro tempore (Mr. CAPUANO). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 7 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1325

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 1 o'clock and 25 minutes p.m.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Indiana (Mr. VISCLOSKY) come forward and lead the House in the Pledge of Allegiance.

Mr. VISCLOSKY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, the 1-minute speech of the gentleman from Texas (Mr. HALL) will appear in the RECORD at this point.

There was no objection.

### HONORING DR. BRUCE HARGRAVE

Mr. HALL of Texas. Madam Speaker, I am honored to introduce Dr. Bruce Hargrave, a pastor and friend from my hometown—Rockwall, TX—who offered the Opening Prayer today.

Dr. Hargrave currently serves as Vice President of Development for the United Methodist Theological Seminary in Moscow, Russia.

From 2003 to 2008, he was the Associate Pastor at First United Methodist Church of Rockwall. During his time there and with his help, the church increased its mission initiatives, including developing in conjunction with the General Board of Higher Education & Ministry, the construction of the only United Methodist Seminary on the continent of Africa. His effective pastoral work over the past 38 years is evident in the success of the churches he has led, all showing growth in membership and attendance, as well as an increase in giving to missions.

Along with his pastoral work, Dr. Hargrave worked for the Garland, TX, Community Hos-

pital Psychiatric and Addiction Medicine Unit from 1993 to 1997. While there he served as Director of the Behavioral Medicine Clinic for Tenet Health Corporation and Hunt County Family Services in Greenville, TX, as well as Provider Relations Director and Associate Clinical Supervisor.

Dr. Hargrave received a Bachelor of Science in Philosophy from Dallas Baptist University. He earned his Master of Divinity in Pastoral Ministry from Southwestern Baptist Theological Seminary in Ft. Worth, TX, before completing his education at Luther-Rice University in Lithonia, Georgia with a Doctorate of Ministry in Administration.

Dr. Hargrave's faith in God is reflected in his career, one which has been spent in service to the betterment of others. I am honored to welcome Dr. Bruce Hargrave today as our guest Chaplain in the U.S. House of Representatives.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

### HEALTH CARE REFORM

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to commend my fellow Democratic colleagues for their commitment to reforming the health care system with the goal of reducing costs and improving access to quality health care for all Americans.

Health care premiums are increasing at an alarming rate; in fact, in the last 10 years, they have doubled. Currently, over \$1,000 of the average American family's annual health care premium goes to support uninsured Americans, and still we have over 46 million Americans who don't have access to health

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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care, and 20 percent of them are children.

I believe that we must work creatively to build on the best of what works in the current system while fostering competition among private plans and providing patients with quality choices.

We can and we must ensure that all Americans have affordable and quality health care. And I urge all of my colleagues to work together towards this goal.

#### CONGRATULATING THE LADY EAGLES

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to congratulate the Lady Eagles from the Bald Eagle Area School District in Pennsylvania for winning the state championship softball title on Friday, June 12. It was the Pennsylvania Interscholastic Athletic Association's Class AA title game against the Brandywine Heights Area School District, and both are outstanding teams.

Led by pitcher Megan Shaw, the Lady Eagles won by a score of 2-0 against the Lady Bullets in a match where the Bullets had a better record with 27 wins and no losses. The Eagles' record was 23 wins and 3 losses.

This is a story about heart and determination after the Lady Eagles lost last year in the state finals. They have won 2 years out of 4 and are fierce competitors. Scoring runs were by Brooke Klinefelter and Taylor Parsons, with help from two other hitters, Lily Glunt and Jasa Mitchell; one bunted, and the second gave a base hit to bring in Parsons.

Coach Dave Breon can be justifiably proud of these high school girls and the hard work that got them to the finals and made them state champions. Great job, Lady Eagles.

#### YET ANOTHER TAX ON THE PEOPLE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, with the banner cry, "they never found a tax they didn't like," the taxacrats want to tax energy consumption.

Here's the plan: Tax American energy and use the tax to pay for the national health care program. In fact, Duke Energy has already asked for a 13.5 percent rate increase on its customers to pay for this new oppressive tax. You see, taxes on American energy companies will be passed on to the rest of us. And so it begins.

Families and businesses are already struggling during these new times of change. The stimulus bill has only made things worse. So the government is going to automatically raise the cost

of everything that comes from energy, which is almost everything. And the consumer pays, while our small manufacturing companies go out of business because of these new energy taxes. And now we learn the new energy tax plan, which was supposed to save planet Earth, will have little or no effect on the climate. Bummer.

So why punish American energy companies that pass the pain on to citizens? Here's the reason: The government economic philosophy of 2009 is: if something moves, regulate it; if it keeps moving, tax it; and if it stops moving, nationalize it.

And that's just the way it is.

□ 1330

#### BRINGING ATTENTION TO NORTH KOREAN PRISONERS EUNA LEE AND LAURA LING

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today to continue to bring attention to Ms. Ling and Ms. Lee, who are being held today by North Korea. I realize that we have had over the years Six-Party Talks and that engagement is important.

I am not advocating war. I am advocating a resolution to the holding of two innocent Americans, one a mother, both renowned journalists, both loved by their family members. I believe it is important for North Korea to be part of the world community and imagine the concerns that would be expressed by anyone holding a North Korean.

I look forward to working as a member of the Foreign Affairs Committee with the administration for the best approach and ongoing continuing discussions, discussing nuclear non-proliferation, along with the release of these two hostages. But we must make a statement and act to have the release of Ms. Ling and Ms. Lee, and we must do it now.

#### A RESPONSIBLE CENTRIST HEALTH BILL

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Madam Speaker, centrists in the House have put forward a health care reform bill that defends your relationship with your doctor, lowers the cost of insurance, and extends coverage to Americans who don't have it. It is a better bill than the Senate bill, which has \$1 trillion in cost.

CBO says that bill will cover 31 million Americans, but another 15 million will lose coverage under the legislation, giving a net of just 16 million Americans getting coverage. At a cost of \$1 trillion, that means it costs \$62,500 per patient over 10 years.

Our centrist plan covers more people at much less cost while finally guaranteeing the rights of your medical treatment against any government restriction.

This House is suffering trillion-dollar sticker shock from the Senate bill. Our centrist health care reform bill is more responsible and will not break the Treasury.

#### YOUNG ADULT HEALTHCARE COVERAGE ACT OF 2009

(Mrs. DAHLKEMPER asked and was given permission to address the House for 1 minute.)

Mrs. DAHLKEMPER. Madam Speaker, I rise today to announce the introduction of my first piece of legislation, the Young Adult Healthcare Coverage Act of 2009, or, as I like to call it, the young invincibles bill. I am the mother of five young invincibles, and this legislation will cover adults ages 19-29.

This bipartisan, no-cost bill provides these young adults with the option to access their parents' health insurance. This is important, because young adults have the highest uninsured rate of any group in the country at 31 percent.

The result is extreme measures, such as borrowing leftover prescription drugs from a friend, setting their own broken bones, or trips to the emergency room that cost the American taxpayer millions. Thirty States have already enacted similar legislation. This bill will create a nationwide uniform standard.

I thank Congressman LEONARD LANCE and others who are cosponsoring this bill, and I ask our colleagues to join us.

#### A BETTER SOLUTION ON CLIMATE CHANGE LEGISLATION

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Madam Speaker, by 2035, the Heritage Foundation estimates that Chairman WAXMAN's legislation will cause a 90 percent increase in electricity rates and a 55 percent rise in residential natural gas prices. Experts predict that this will result in substantial numbers of United States jobs going to countries like China and India that have not adopted a national energy tax.

At a time when the national unemployment rate is soaring, approaching 10 percent in the next several months, and the Kentucky unemployment rate is getting dangerously high, we can't afford to enact this legislation that will create additional hardships.

Energy prices are a major factor in determining the cost of living and the cost of doing business in a particular location. The fact is that Kentucky is one of the lowest energy cost States in the Nation and depends on electricity produced from coal.

I recently met with plant managers and business leaders in Carroll County, Kentucky, who reiterated that the low cost of energy in the Commonwealth was a major reason they chose to base their businesses in the county, creating many jobs.

This energy tax will drive those businesses away or out of business, losing American jobs, because it is not considering the long-term economic impact, let alone the lack of environmental veracity. A familiar positive story that we hear throughout our Commonwealth is low energy creates jobs.

#### ABC NEWS IS BECOMING OBAMA NEWS

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Madam Speaker, the national health care program that is advertised by the administration, they estimate it will cost \$1 trillion just to insure one-third of the uninsured in this country. So it is going to cost \$3 trillion if you add all of those people to the health care rolls, money that we just don't have.

The thing that bothers me is ABC News over the next week is going to be advertising a 2-hour infomercial that is going to take place by the President at the White House in the next week. They are doing this at the White House. ABC is actually moving into the White House to advertise this for the President.

You know, the President is on television every single day, and it is pretty obvious that CBS, NBC and CNN are all very supportive of the President. They are advocating everything he is talking about. But ABC is going overboard. They are absolutely flipping by going to the White House and supporting and advertising for the President's program.

I think this is just dead wrong. It is okay to be supportive of the President, but I don't think ABC should become Obama news.

#### CONGRATULATIONS TO GEORGETOWN MILL

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of South Carolina. Madam Speaker, I rise today to congratulate the International Paper Mill in Georgetown, South Carolina, for recently reaching a safety milestone of logging 4 million safe work hours without any employees missing work due to injuries sustained on the job.

This is not an easy task with nearly 700 employees working at the paper mill daily, and it is obvious that the team in Georgetown has been working hard to develop new ways to proactively prevent accidents.

"Our goal is to leave work every day in the same or better condition than we arrived, for ourselves and for our families," said Debbie Feck, mill manager.

Recently, employees at the mill implemented a new personalized safety process focusing on people acting, car-

ing and thinking safely, or PACTS for short. They see this as a great way to focus on safety, but also realize that there is no single action that can create the ultimate safe environment, and everyone must work together to achieve this goal.

Congratulations to the Georgetown Mill team. I speak for myself and everyone in the First District when I say we are proud of you and encourage the team to keep working toward those safety milestones.

#### SUPPORTING DISSIDENT IRANIANS IN THEIR QUEST FOR FREEDOM AND DEMOCRACY

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, for the fifth day in a row, hundreds of thousands of Iranian citizens have taken to the streets on behalf of free elections and democracy. Sadly, the response by the Iranian government has been more oppression and violence against its own people, deaths confirmed, hundreds of citizens beaten, and foreign journalists intimidated and banned from the streets. We are witnessing a Tiananmen in Tehran.

While I respect the fact the President of the United States has denounced the violence, that he has said the protestors had a right to be "heard and respected," this administration has not yet expressed the unqualified support of the American people for those who are courageously taking to the streets on behalf of self-government and free elections in Iran.

Yesterday, I introduced House Resolution 549, a resolution that would give voice to countless Americans who want our Nation to support the dissidents in Iran who are struggling for their own freedom.

The American cause is freedom. In this cause, America must never be silent. I urge my colleagues to cosponsor this important resolution and bring it to the floor this week.

#### UNACCEPTABLE ATTACK ON GOVERNOR PALIN'S DAUGHTER

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Madam Speaker, the late Senator Daniel Moynihan published a paper on defining deviancy down in which society lowers its standards whereby unacceptable conduct becomes acceptable.

I recently heard from a number of my constituents about the abusive attack on Governor Sarah Palin's 14-year-old daughter. I also read about this and was just as upset as they were. Governor Palin and her 14-year-old daughter had attended a Yankees game and David Letterman told a totally inappropriate joke about them.

I recall that last year, David Shuster made an inappropriate comment about Chelsea Clinton, the daughter of Bill and Hillary Clinton. The president of NBC apologized and suspended Shuster from the network. The Palin family received a belated apology a week later.

I hope the host, David Letterman, realizes that children should not be the targets of sexually charged jokes. We must not allow the unacceptable to become the acceptable.

#### DOCTOR-PATIENT RELATIONSHIP AND RESEARCH ACT

(Mr. HERGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERGER. Madam Speaker, I rise today to protect the doctor-patient relationship. President Obama and many congressional Democrats have been pushing for government-run health care. Looking at the results of government-run plans across the world, it is a mistake we simply cannot afford. Government-run health care will be bad for doctors, bad for patients, and bad for the taxpayers.

That is why I introduced legislation to ensure that Washington bureaucrats do not use comparative effectiveness research to make health care decisions for you based on cost. The Doctor-Patient Relationship and Research Act focuses on the two most important people in the health care system, the patient and their doctor.

I urge my colleagues to join me in protecting Americans from government-run health care.

#### PUTTING PATIENTS AND DOCTORS IN CONTROL

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Last week, congressional Democrats unveiled several sweeping overhauls of American health care. Each of their plans includes a government-run bureaucracy that would put red tape between patients and their doctors.

I saw this firsthand as a doctor when patients with government-run Medicaid coverage often after heart surgery had difficulties finding doctors for follow-up care. A failure to get follow-up care after heart surgery is a great way to guarantee a poor quality result for patients and higher cost for taxpayers. Far too often, patients in our current government-run programs lack real access to a doctor, leaving them out of the system.

Today, House Republicans put forward a commonsense plan to revitalize the American health care system and improve quality. Our plan puts patients and their doctors back in control of their health care destiny. Our plan makes health care more affordable and more accessible, with patients able to see a doctor of their choice.

We all agree improving our system will make America more competitive and give families peace of mind. Let's work together to put the doctor and patient back in control.

#### RETURNED TARP FUNDS MUST BE USED TO PAY DOWN DEFICIT

(Mr. LANCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANCE. Madam Speaker, last week, the U.S. Department of the Treasury announced the repayment of TARP funds from 10 banks totaling \$68.3 billion returned to the TARP program. The TARP repayment news is a promising sign that our beleaguered financial system is beginning to stabilize and taxpayer funds are being returned.

While many of my colleagues and I have called for these repayments to be applied to help pay down the national debt, Treasury Secretary Timothy Geithner has indicated that the returned funds would "free up resources" for future bailout loans.

I respectfully disagree with the Secretary's position that these moneys should be reused in the future. The repaid taxpayer funds should only be used to pay down the ever-growing national debt.

I call on Congress to pass H.R. 2119, legislation I am cosponsoring that would require the Treasury to apply returned TARP funds to debt reduction.

#### CONGRATULATING ROLANDO M. OCHOA ON RECEIVING HIS DOCTOR OF BUSINESS ADMINISTRATION

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LINCOLN DIAZ-BALART of Florida. I rise today to congratulate my friend Rolando Ochoa, vice president and branch manager of the Sunny Isles branch of BankUnited, upon earning a Doctor of Business Administration from Nova Southeastern University in South Florida.

As part of the program, Dr. Ochoa completed a grueling program of at least 68 credit hours in difficult disciplines. Although already greatly respected for his career in the banking industry, Rolando Ochoa has continued to deepen his knowledge of business and the banking industry. His admirable pursuit of excellence in his field will be of great assistance to our South Florida community.

On Saturday, Dr. Ochoa will graduate from Nova Southeastern, having been granted his doctorate. It is my privilege and honor to congratulate you, Dr. Rolando Ochoa, on this great achievement. I know that your dedication to excellence will continue to serve our community well.

□ 1345

#### PROVIDING FOR CONSIDERATION OF H.R. 2847, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution H. Res. 552 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 552

*Resolved*, That during further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, no further general debate shall be in order. Notwithstanding clause 11 of rule XVIII and House Resolution 544, and except as provided in section 2, no further amendment shall be in order except: (1) amendments numbered 3, 6, 19, 22, 25, 31, 35, 41, 59, 60, 62, 63, 69, 71, 93, 96, 97, 98, 100, 102, 111, 114, and 118 printed in the Congressional Record of June 15, 2009, pursuant to clause 8 of rule XVIII, which may be offered only by the Member who submitted it for printing or a designee, and (2) not to exceed 10 of the following amendments if offered by the ranking minority member of the Committee on Appropriations or his designee: amendments numbered 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 104, 105, 106, 107, and 108 printed in the Congressional Record of June 15, 2009, pursuant to clause 8 of rule XVIII. Each amendment listed in this section shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except that an amendment may be offered only at the appropriate point in the reading. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate. Such amendment may be repeated, but only after consideration of an amendment listed in the first section of this resolution.

SEC. 3. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Florida, Mr. LINCOLN DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 552.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Madam Speaker, H. Res. 552 provides for further consideration of H.R. 2847, the Commerce, Justice and Science Appropriations bill for fiscal year 2010, under a structured rule.

Madam Speaker, I know it's safe to say that this has been a memorable appropriations process for both sides, and we're only getting started on this bumpy ride.

Appropriation bills often generate very emotional responses on all sides, and this year is no different. The process is time-consuming and stressful, and my colleagues on Rules know that we were not meeting well after 1 a.m. this morning simply because we like each other's company.

The rule we rise to consider today came about as a result of concern from the Appropriations Committee that we were unlikely to get an agreement from the minority for a set and reasonable schedule to consider these spending bills.

Without such an agreement, there was a very real fear on our side that the process could have degenerated into a drawn-out battle, jeopardizing our party's commitment to getting each of the 12 appropriations bills completed on time this year.

At all costs, our party wanted to avoid a repeat of a disastrous 2-month stalemate that shut down the government in 1995 and 1996. And while it's sometimes tempting for the party in the minority to blow up the process, as leaders in the House, we're determined to legislate in a way that seeks common ground and makes everybody proud.

Moreover, we have in recent years detected a trend where more and more amendments are given to us each year on appropriations bills, often for no other reason than political gamesmanship or stunts.

There was not a single amendment to this bill in fiscal year 2003, but this year we had 127 amendments filed on the bill as of the Tuesday deadline. That suggested to us that we were in for what potentially could have been a repetitive chain of deleterious and ill-considered amendments, none of which would have allowed us to get any closer to our goal of getting these bills completed and signed into law by the President.

When it became clear this week that the minority was not ready to agree to a clear and firm schedule for finishing the work on the appropriations bills, we decided we had no alternative but to go ahead with a clear and concise plan.

Our proposal sets out a best balancing act between doing the people's business and still giving both parties ample opportunity to shape the bills with amendments and discussion.

Under the schedule, we will set aside a structured rule that provides for no additional amendments, other than the ones previously agreed to by the Rules Committee. Each of those amendments shall be debatable for 10 minutes.

I firmly believe that, given the refusal of the minority to agree to a schedule for getting the work done, this represents a workable compromise that will allow us to vote on the appropriations bills in a timely and efficient way.

More importantly, it allows us to move each of these appropriations bills in the next 6 weeks while, at the same time, making progress on other crucial legislation facing Congress, such as health care, climate change and supporting our troops.

I hope my colleagues on both sides will join me this morning in supporting this rule.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I'd like to thank my friend, the distinguished gentlewoman from New York (Ms. SLAUGHTER) for the time.

And I yield myself such time as I may consume.

Madam Speaker, I sincerely believe the majority will come to regret this decision to close down the deliberative process of the House on appropriations bills.

Yesterday, the House passed an already unorthodox rule that broke the precedent. It was restrictive. And pursuant to that rule, 127 amendments were filed by Members of this House.

After debate on the first Republican amendment, the first one, the majority decided to halt consideration of the legislation, and called an emergency meeting of the Rules Committee, which began at 10:45 p.m. last night.

In response to that first Republican amendment, the majority is now bringing forth this rule that will block consideration of most of the amendments that were made in order under the previous rule proposed by the majority and passed by this House. So all those Members who followed the rule previously passed and filed their amendments by the deadline will be left without the chance to represent the interests of their constituents.

I think this rule is unjust. I think it's unnecessary. I think the majority's making a big mistake.

During yesterday's late-night meeting, the distinguished chairman of the Appropriations Committee cited the large number of amendments that were preprinted pursuant to the previous rule as a reason for shutting down the appropriations process. He went on to cite what he considers to be his obligation to move the appropriations bills on schedule. As a matter of fact, he was kind enough to hand out to the

members of the Rules Committee this copy of a proposed schedule.

I understand his concern. But the reason, precisely, for the high number of amendments that were filed yesterday was because the majority had abandoned the use of the traditional open appropriations rule, and they had required Members to pre-print their amendments, and that forced Members to submit all of the amendments that they conceivably thought they might wish to introduce, to consider, rather, even if they eventually did not plan to offer them.

Under the previous rule, Members were also barred from making germane amendments to their amendments, changes to their amendments, so Members submitted duplicative amendments to cover all possible angles.

Members have an obligation to their constituents to represent them on appropriations bills and to represent the interests of their communities.

Now, yes, even though over 120 amendments were set for debate, the reality, Madam Speaker, is that we never would have considered all of those amendments. Members were hedging their bets. They were submitting duplicative amendments that, in most instances, they didn't plan to actually offer for debate.

Mr. BURTON, for example, came before the Rules Committee last night. We were there till almost 2 in the morning, and he testified that he had submitted a number of amendments, but he only was going to ask for one of the amendments to be actually debated.

So I ask, Madam Speaker, if the majority really believed that the minority was using dilatory tactics, why did they stop debate after the first minority amendment and call for an emergency Rules meeting?

They should have followed the advice of my colleague on the Rules Committee, Mr. PERLMUTTER, and allowed debate to continue last night and proceeded to work through the amendments. Instead, after one minority amendment, they halted the floor process so that the Rules Committee could meet late last night.

Now, by the time the meeting was over at almost 2 a.m., the House could have actually considered already a number of the amendments, and most likely could have agreed by unanimous consent, which is the tradition on appropriations bills, to limit time on remaining amendments and the debate time.

If, after debating for a reasonable amount of time, the majority sincerely came, then, to the conclusion that the minority was using dilatory tactics, the majority then could have called the Rules Committee to seek a structured rule.

□ 1400

Instead, the majority gave up after just one minority amendment and immediately decided to use the heavy

hand of the Rules Committee to close down the deliberative process. So I wonder if they really had any intention at all to follow through on their initial call for Members to be allowed to offer amendments that were preprinted in the CONGRESSIONAL RECORD.

Now, under the rule that we're considering at this time, only 22 specific amendments chosen by the majority are made in order. The rule also calls for the Appropriations ranking minority member to decide which 10 additional earmark-related amendments will be considered. So the majority is bucking the decision to the minority on which of their amendments they will block.

The minority must now have to silence our own Members even though it was not our decision to limit amendments. I think that really is unfortunate by the majority. If the majority wants to block amendments, they should have the courage to say whose amendments they wish to block.

So, Madam Speaker, I think, today, we're witnessing a sad page in the history of this body. I think we're witnessing a day that, without doubt, will come to be regretted by the majority.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. I want to express my appreciation to Chairwoman SLAUGHTER for yielding me this time.

Madam Speaker, I would like to commend Chairman MOLLOHAN for doing an outstanding job with this year's Commerce, Justice, and Science bill, and I intend to vote for it and to support it enthusiastically. I know that he had to make some hard choices, and I am pleased that he was able to fund nearly all of the administration's requests, in particular, for the National Science Foundation.

However, a provision in the report concerning materials research has just been brought to my attention, and I am hopeful that, as this bill moves to conference, we might be able to address this language.

The basic research and fundamental science funded by the National Science Foundation are vitally important to the future of our Nation. However, there is language in the report eliminating the President's proposed increase in the NSF's Materials Research budget "in light of similar investments in basic energy sciences," allegedly, at the Department of Energy.

It is my understanding that this may not be the case. The National Science Foundation's Division of Materials Research funds research on the fundamental behavior of matter and materials that lead to the creation of new materials and new technologies. In addition, Materials Research supports instruments and facilities, including the Cornell Electron Storage Ring and the Cornell High Energy Synchrotron Source, located in New York. They are crucial, both of them, for advancing this scientific field.

Until this year, the Cornell facilities had been funded by the NSF's Division of Physics. They are currently transitioning to the Division of Materials Research, which may have caused some confusion. The President asked for an increase to support research and development at these Cornell facilities. The Department of Energy does not have a facility comparable to Cornell's, and as far as we know, the work done at Cornell is the most advanced in the world.

I would be happy to discuss this further, and I hope that we can work together to clarify the report language on the NSF Materials Research budget so that it will not affect the work of these important facilities.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, Federal spending is out of control, and I rise in strong opposition to this rule.

Here are the facts: We are running a \$2 trillion Federal deficit. The second tranche of the TARP funding allowed to be spent another \$350 billion. The stimulus bill passed earlier this year is over \$1 trillion, including the cost of the debt. An omnibus bill of \$400 billion and a budget passed by this administration and this Congress will double the national debt in 5 years and will triple it in 10.

Now comes the first spending bill to the floor for Commerce-Justice-Science with an 11.7 percent increase in Federal spending. Republicans offered about 100 amendments which were designed to cut Federal spending and to restore fiscal discipline to this very first bill.

After 30 minutes of debate on the first amendment that was offered, the majority cut off debate. The Democrats in this Congress apparently believe the Republican amendments to cut runaway Federal spending would take too much time. Apparently, the majority can't spend our money fast enough. The truth is this was an outrageous abuse of the legislative process, but this debate is not about process. This debate is about runaway Federal spending, and the American people have had enough of it.

Republicans in Congress believe that Congress has time to get it right. We believe this Congress should take the time necessary to debate and to restore fiscal discipline to our Federal budget. Today, beginning at this very hour, we will stand up for the American people, for their right to have a budget that reflects the same discipline and sacrifice that every American family and that every small business are making during these difficult times.

I urge my colleagues to oppose this rule and to take a stand against runaway Federal spending—beginning here, beginning now.

Ms. SLAUGHTER. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished chairwoman of the Rules Committee.

Madam Speaker, I rise to support the underlying rule and to indicate that we are in some very challenging times.

It is important that the National Science Foundation has been funded. In particular, the Second Chance bill, which I worked on with a number of my colleagues, has been added to provide for the rehabilitation and for the opportunity for work for numbers of those who are ex offenders. I raised some challenges.

I had intended to offer and to respond to the shortage of the NASA funding in this bill short of the President's mark; but as we have had deliberations, we have realized that the Augustine report is coming forward.

I wanted to include \$400 million that, I think, would have been appropriately deducted to provide for human space exploration, because we built the international space station—that was our genius—and we did it with our collaborators and with our allies. That entity will provide the next generation of research. The only way to engage the international space station is to be able to have the CEV vehicle and to continue human space exploration; but the resolve in the report language specifically notes that this does not disallow the addition of those dollars as we make our way through this legislation and to the conference committee.

The Augustine report will come forward, and I hope that will not be a challenge, for it will be, in essence, an abandonment of a future that helps to employ people and to create jobs. We know that 11 million visitors have gone through Johnson Space Center alone, in Houston, Texas. As a 12-year former member of the Science Committee, having worked on safety issues dealing with the international space station, I know the value of human spaceflight and of that space station.

I also would have added language to restore the President's authority to close Guantanamo Bay. I know that we are looking at that in a way that some agree with and that some don't. I believe the language that prohibits that is language that, hopefully, we will consider as we make it through and that the President provides all of the information that Congress wants them to have.

Then I want to at least place in the RECORD the interests of continuing to work with our juveniles who are engaged in violent juvenile crimes. We have seen the loss of life in many of our major cities, and I had an amendment that would have provided for \$20 million from the Federal Bureau of Prisons' construction programs, re-directing those funds to youth mentoring and to delinquency programs, recognizing that violent crimes by juveniles largely take place right after

the end of the school day between the hours of 3 p.m. and 4 p.m. Further, it costs an average of \$7,136 to educate a pupil in public schools while the cost of incarcerating a juvenile, in Texas alone, is a whopping \$56,000.

In Texas, we are reaching a point where we have more use for the criminal justice system than we have for our education system. As we move forward, I ask my colleagues to think of these issues.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. HASTINGS).

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, last evening, I was patiently waiting here on the House floor to offer an amendment to the Commerce-Justice-Science spending bill. The Democratic leadership suddenly moved to shut down debate and to cut off our ability to represent our constituents and to offer ideas to improve this legislation.

At 8 p.m. last night, the rules of the House allowed me to offer my amendment, but this morning, under the re-writing of the rules, I am blocked from doing so. I deeply regret this unfairness and this hostility in letting Representatives—Members of Congress—come to the House floor for just 5 minutes and offer amendments to a bill that spends \$64 billion.

The amendment that I am blocked from offering, frankly, is very simple. It would restore the Pacific Coastal Salmon Recovery Fund that has received strong bipartisan support for years and is an existing program but which this bill has explicitly eliminated. The Pacific Coastal Salmon Recovery Fund is a successful grants-to-States program used to help recover and to conserve endangered, threatened, at-risk, and important tribal salmon runs on the Pacific coast.

In April, President Obama proposed in his budget to eliminate this fund and to transfer the funds to another fund. From the Northwest, the reaction was bipartisan and very swift. The success of this long-standing program was so compelling that the Obama administration reversed its course, to their credit, and sent a letter to Congress, seeking to restore the funds to this recovery plan. My amendment, which I am now blocked from offering on this floor, would simply adopt the Obama administration's position.

So, Mr. Speaker, I regret this unprecedented rule restricting House debate, and this successful endangered salmon recovery program will suffer for it. The House action to eliminate this plan, frankly, will make it much more difficult for the Senate to deal with in the other body.

This amendment is very simple. It would restore the Pacific Coastal Salmon Recovery Fund that is eliminated in the bill and Committee report.



The Recovery Fund is a long-standing, successful grants-to-states program used to help recover and conserve endangered, threatened, at-risk and important tribal salmon runs on the Pacific Coast, or for the conservation of Pacific coastal salmon and steelhead habitat.

The Fund delivers grants directly to states to be administered.

For years, it has received strong bipartisan support.

However, in April, President Obama submitted in his budget request to Congress, a proposal that eliminated the Pacific Coastal Salmon Recovery Fund, and transferred a reduced amount of funding to a much broader nationwide species recovery grant program.

From the Pacific Northwest, the reaction and opposition to this proposed elimination was swift, bipartisan, loud and clear.

The success of this decade-long grant program was so compelling, and the efforts of the Northwest congressional delegation were so persuasive, that the Obama Administration actually reversed course.

On May 21st, President Obama sent a letter to Speaker PELOSI amending his April submission to specifically request that "\$50 million shall be transferred to 'Pacific Coastal Salmon Recovery'."

Credit is due to the Obama Administration for abandoning their elimination proposal and clearly expressing their support for this program. I thank them and the people of the Pacific Northwest thank them.

Yet, the annual appropriations bill currently before the House proposes to actually follow through with eliminating the Pacific Coastal Salmon Recovery Fund.

As this bill and Committee report are written, the Fund is specifically and explicitly eliminated and money is moved to a vague, broad, nationwide recovery program. Monies in this vague, new program will go to "salmon projects".

Gone is the Fund, its direct grants to states, its requirement of matching funds, its emphasis on endangered salmon and runs important to Northwest tribes.

In its place, this bill provides less money, dilutes it to any project of any sort for salmon anywhere in the country, and lets NOAA rather than states decide how it is spent.

My amendment would restore the Pacific Coastal Salmon Recovery Fund as it has long existed and direct funds to the traditionally funded states.

The text of my amendment copies the language of the 2009 Omnibus Appropriations bill that passed in March of this year. Just three months ago, this House and this Congress approved this same text.

My amendment would keep funding at the same level singled out for "salmon projects" in the bill, \$50 million, but it makes certain the funds are administered through the Pacific Coastal Salmon Recovery Fund, which is the official position and request of the Obama Administration.

To object to this amendment would be to insist on the first Obama budget's vague, diluted salmon funding proposal that has been so loudly, soundly, and rightly rejected.

AMENDMENT TO H.R. 2847, AS REPORTED  
OFFERED BY MR. HASTINGS OF WASHINGTON

Page 14, line 3, after the colon insert the following: "Provided further, For necessary expenses associated with the restoration of Pacific salmon populations, \$50,000,000 to re-

main available until September 30, 2010: *Provided further*, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, California, and Alaska and Federally-recognized tribes of the Columbia River and Pacific Coast for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds:".

THE WHITE HOUSE,  
Washington, DC, May 21, 2009.

Hon. NANCY PELOSI  
Speaker of the House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: I ask the Congress to consider the enclosed Fiscal Year 2010 Budget amendments for the Departments of Commerce, Defense, Education, Health and Human Services, Homeland Security, Justice, and State and Other International Programs, as well as the District of Columbia. Also included are amendments to general provisions included in Title VI of the Financial Services and General Government Appropriations Act, 2009. These amendments would not affect the totals in my FY 2010 Budget.

In addition, this transmittal contains an FY 2010 amendment for the Legislative Branch. As a matter of comity and per tradition, this appropriations request for the Legislative Branch is transmitted without change.

The details of these requests are set forth in the enclosed letter from the Director of the Office of Management and Budget.

Sincerely,

BARACK OBAMA.

Enclosure.

Agency: Department of Commerce  
Bureau: National Oceanic and Atmospheric Administration  
Heading: Operations, Research, and Facilities

FY 2010 Budget Appendix Page: 214-215  
FY 2010 Pending Request: \$3,087,537,000  
Proposed Amendment: Language  
Revised Request: \$3,087,537,000

(In the appropriations language under the above heading, add the following to the first paragraph directly before the ending period:)

: *Provided further*, That of the amounts provided herein, \$61,000,000 shall be available for Species Recovery Grants for the conservation and recovery of threatened or endangered marine species, of which \$50,000,000 shall be transferred to "Pacific Coastal Salmon Recovery"

This amendment would clarify that funding for Pacific salmon recovery is included in the sums made available for the new Species Recovery Grant program. The proposed Budget totals would not be affected by this amendment transferring funds to the "Pacific Coastal Salmon Recovery" account.

Ms. SLAUGHTER. Mr. Speaker, I don't have anymore speakers present on the floor, so I will reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished ranking member of the Appropriations subcommittee (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I have a chart showing that this country is pretty much facing bankruptcy. We have \$11 trillion of debt. Traditionally, it has been the practice around here, whether Republican or Democrat, to have open rules whereby Members can offer amendments regarding whatever they see fit.

The American people realize that we're living in trying economic times, and rightfully, they expect their elected officials to evaluate different spending programs to see whether they should be for them or against them. If we cannot even come up with a fair process to debate annual spending bills, there is very little hope. There is very little hope, there is very little hope for this country to deal with this.

There is \$56 trillion of debt. There is \$11 trillion owed to the Chinese and to the Saudis. The bankruptcy system is coming.

We should go back to the Rules Committee and report out the original bill to allow any Member to offer any amendment. Otherwise, what you're going to do to this process—and I've been here for a few years—is radicalize it whereby nobody will feel they have any investment in this bill.

So I urge the defeat of this bill. Send it back. Have an open bill whereby any Member, Republican or Democrat, can offer any amendments they want to. Otherwise, we will never resolve this issue of \$11 trillion, and the next time we come here, it will be \$12 trillion.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. SCHOCK).

Mr. SCHOCK. Mr. Speaker, last night, I offered a simple amendment to study the economic impact of this body's delaying the enactment of the Colombia Free Trade Agreement. While the majority accepted my amendment, it was clear that my amendment would not be included in the final version of the bill. As such, I requested a recorded vote as is my right as a Member of the House of Representatives.

□ 1415

This right was then denied to me by the majority.

This goes directly against what the Speaker said in her "New Direction for America", and I quote: "Every person in America has a right to have his or her voice heard. No Member of Congress should be silenced on the floor."

I had an issue that I thought should be included in the bill, and I have a right to try to amend the bill to include this provision. I followed the majority's requirements, jumped through all of their new hoops to offer this amendment. I followed all of the rules, yet was denied not because of procedure, not because of decorum, and not

even because my amendment lost the vote. Rather, I was denied by the majority because they didn't want their Members to have to take a stand.

Now, I come from the great State of Illinois. I love my State, the Land of Lincoln, the home of Obama. My State is also home to George Ryan, a Governor who is now in prison; Governor Blagojevich, a man who is on his way; and a State that's home to machine-style politics. I see this body headed in the same direction.

What happened here last night was a clear step in the wrong direction. The majority has shut us out of one of the last rights of the minority, the ability to offer amendments to appropriations bills. The majority now has even continued this trend in the rule by disallowing several noncontroversial amendments, a second of which I offered that would have added more funding to the Minority Business Development Agency, an agency which under the current bill will see a funding decrease over what the House Appropriations Committee approved last year.

Mr. Speaker, I ask the majority this: With a 40-seat majority, what do they fear in an open arena in the competition of ideas? What do they fear with letting a good idea stand the test of time, allow a hearing, allow debate, and allow their Members to vote them up or down? With a 40-seat majority, partisan amendments, amendments that really have no substance, would clearly die on a partisan vote. But those amendments that carry value, those amendments that will stand the test of time, and those amendments that are right for the American people, Independents, Republicans, and Democrats alike, will pass this body and should be allowed a vote.

Now, the majority last night argued that we were dilatory. I would argue it was democracy. Twenty minutes on an amendment is hardly dilatory. With 120 amendments the worst-case scenario, Mr. Speaker, would be four 10-hour days.

The SPEAKER pro tempore (Mr. ROSS). The time of the gentleman has expired.

Mr. LINCOLN DIAZ-BALART of Florida. I yield the gentleman an additional 30 seconds.

Mr. SCHOCK. Is four 10-hour days too much to debate \$64 billion of American taxpayer dollars?

We've seen the waste created by the haste of this body, of the happy spending majority that this body has, with the stimulus bill, the overbloomed omnibus bill, and now this bill, which seeks to increase spending by over 12 percent.

I urge a "no" vote on this rule to allow democracy to continue in this body.

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. LEE).

Mr. LEE of New York. I thank the gentleman from Florida for yielding.

Mr. Speaker, I rise to strongly oppose this rule. I was here on the floor last night and waiting to offer an amendment to the pending appropriations bill that would give Congress the opportunity to take a step towards restoring fiscal reality in Washington. Unfortunately, the moments before my amendment was to be considered, the House was shut down and, with it, the ability to have sorely needed debate about the need for belt tightening.

Ironically, not long before that, I was holding a telephone town hall meeting with residents throughout western New York, and one of the questions I received was about whether I was disheartened with the process in Washington. And my response was that after 5 months in Congress, I was frustrated mostly with the way in which Washington continues to spend taxpayer dollars freely without any understanding of how the middle class lives in these difficult economic times and how we will ever pay back this exorbitant amount of debt.

My amendment and those offered by my colleagues presented a valuable opportunity to turn back the page on the excessive spending and work on a bipartisan basis to identify ways to make Washington do more with less. These spending bills call for across-the-board increases in already bloated Federal programs while workers and businesses in my district struggle to figure out how they are going to get by on less and, in too many cases, far less than they are used to having. Our constituents who are struggling to make ends meet deserve better.

I urge my colleagues to vote down this rule so we can have a truly open discussion of the shared sacrifices required to put our Nation's fiscal house in order.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

Mr. Speaker, you know, watching the attitude and really this spending adventure that the majority has taken on really reminds me of somebody that's paving a highway, and what they have done is they want to completely flatten out any opposition to really runaway Federal spending, just absolutely no restraining influence whatsoever, Mr. Speaker.

So here you have a group of House Republicans who are trying to articulate a sense of restraint. We are hearing from our constituents who are incredibly concerned about the pace of spending. And yet the speed bumps that we offered have been completely flattened out.

I offered an amendment which would have said, look, the Speaker of the

House recently accused people of committing a Federal crime, a crime that is punishable, if true, by 5 years in prison. The amendment that I offered that met the previously articulated preprinting requirement would have said we're going to allocate money to the Department of Justice to investigate this accusation of a Federal crime. And yet what does the majority do late at night in the wee hours when nobody's watching? Being completely intimidated by an open and robust debate.

This rule is really an incredible disappointment. I think it's an incredible insult, frankly, to the American public that wants to talk about spending and is weary of the attitude that has come through from the majority.

We know what we need to do. We need to stand up for the American taxpayer, stand up for our children, stand up for our grandchildren, who are being saddled with a legacy of debt, and vote against this rule.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, at this time I yield 1 minute to the distinguished Republican leader, Mr. BOEHNER.

Mr. BOEHNER. Let me thank my colleague for yielding and remind my colleagues that the Constitution provides that the Congress of the United States shall determine spending. The Constitution of the United States also empowers our citizens to send their elected representative to Washington to represent them, and collectively we represent the American people.

If you think about where we've been this year, we had the nearly trillion dollar stimulus plan, when you look at the interest that's going to be paid on it. We had the over \$400 billion omnibus appropriation bill that had 9,000 earmarks in it. We had a budget that came through here that has trillion dollar deficits for as far as the eye can see. We bailed out Wall Street. We've bailed out the auto companies. And we're spending money and racking up debt at record levels.

So here we are. We are starting the annual appropriations process, 12 appropriation bills that will spend nearly \$1.5 trillion that we do not have, \$1.5 trillion that we're going to have to go borrow from the American people and further imprison our kids and grandkids.

And you would think that as we are debating the spending of this \$1.5 trillion that the majority would do as it has done for most of our history and allow for an open debate, allow for a process that protects the franchise of each Member of this body. But, no, we couldn't do that.

There were conversations over the last couple of weeks about how to limit this process, and I made it clear to the majority leader and to the chairman of the Appropriations Committee that I wasn't going to agree to limit the ability of Members to participate in this



process as we try to control spending in this body. I made it very clear to Mr. OBEY and to Mr. HOYER that we would work with them in an open process to facilitate it, to try to maximize the number of bills that could be finished before the August recess. But apparently that wasn't good enough. So we came up with this convoluted process where we were going to require Members to preprint their amendments. And all that did was to drive up the number of amendments, most of which probably were never going to be offered.

But the real point here is that there is a serious issue about how much spending and how much debt is piling up on the backs of the American people. Members on both sides of the aisle want to have a real debate about how much spending is enough and, if we are going to spend, what is the appropriate way to spend.

You know, the American people sent us here and they gave us the world's most expensive credit card. I would also describe it as the most dangerous credit card in the history of the world. It's a voting card for a Member of Congress. And our constituents expect us to use this responsibly on their behalf. And I can tell you that most of my colleagues on this side of the aisle believe that the majority is using this card recklessly to build up deficits and to build up debt to record levels. The amount of debt and the amount of spending is going to imprison our kids and our grandkids, and all we want to do is to have an opportunity to debate just how much spending is enough. That's what we're asking for. But to deny us our rights protected under the Constitution denies the American people their chance to say how much spending is enough.

I would ask my colleagues on both sides of the aisle, let's do the right thing. Let's defeat this resolution that's in front of us that will restrict the rights of all Members, and if we can defeat this resolution, we can go to a process that can work in a bipartisan way to address the needs of Members on both sides of the aisle, and we can do it in a bipartisan way. Vote "no."

Ms. SLAUGHTER. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. GOODLATTE).

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, it's not surprising to me that the chairman of the Rules Committee continues to reserve her time and that there are few Democrats who have come down to the floor to defend this terrible rule or this embarrassing bill that the rule brings to the floor.

It's a disgrace what happened last night. After only a few minutes of debate, legitimate debate on legitimate amendments, the majority moves to

rise, goes back to the Rules Committee, and writes a rule that slams down more than 80 Republican amendments, a number of Democratic amendments too, but far more Republican amendments, without any consideration whatsoever. We have heard from some of those speakers here just in the last few minutes, people who had good, sound amendments to offer.

But I would like to talk about the overall bill. That's my concern. This bill spends \$64.31 billion, an 11.7 percent increase. Now, where is that money coming from? Every penny of that increase is going to be borrowed. In fact, the budget that the Democrats adopted for this coming year that this appropriations bill is a part of spends \$1.2 trillion more than is coming in in revenues; \$3.6 trillion in expenditures, \$2.4 trillion in revenues coming in—a \$1.2 trillion deficit in 1 year.

Until this year we have never had a single year in our Nation's history where we have had more than a \$500 billion deficit, and \$500 billion is a staggering amount of money. And yet the budget they just adopted for the next 10 years, every single year it exceeds \$550 billion, rising until at the end of the 10 years about \$700 billion. Year after year after year, doubling our national debt and putting our country in great jeopardy.

□ 1430

People don't even know what \$1 trillion is.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I urge my colleagues to reject this rule and bring back the bill so that we can adjust and cut spending.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I can't tell you how disappointed I am with the majority for not allowing a fair and free debate on some very important issues. Obviously this bill spends too much money. It has earmarks that have never been vetted. But we brought other issues of equal importance, things that the American people deserve to hear. I had an amendment. It says we need to stop Mirandizing terrorists in foreign countries, Afghanistan, for attacking our troops and being detained. Miranda rights—You have the right to remain silent. You have a right to a lawyer. It's happening now. And the worst part of this is that even the majority wasn't briefed or, if they were, they're not talking about it. We have one opportunity to stand up today and say, Enough. You can't criminalize the battlefield.

We have FBI agents who, after our soldiers picked them up and after trying to kill members of the 82d Airborne or the 101st or our Marines, take them

to the detention facility, and they read them their rights. They're non-United States citizens. They're foreigners. We just wanted the opportunity to tell America, We think that's crazy. You're going to tell a terrorist who just came off the battlefield that you have the right to remain silent. How much information will they not give that might save the life of one of our soldiers in Afghanistan today? And the biggest travesty today is, you never gave us the opportunity to talk about it, to move the issue forward.

We've had about three different opinions from this administration on if they are or are not doing it. Well, I can tell you—I've been there, and I've seen it. Our soldiers are going to get frustrated. I know our FBI agents are frustrated. Our law enforcement community is frustrated. And the best you can do is say, Debate is inconvenient for us today, and some things are just better left unsaid, like the billions of dollars in this bill that spends too much money, money that we don't have, that we're going to have to borrow from the Chinese or the Russians or the Saudis. Or the fact that we look those soldiers in the eye and say, We can't even have the opportunity to talk about it on the floor of the House.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I can't say how much I've been amused by the statements that we have heard from our dear friends across the aisle. They know very well what kind of economic circumstances this country is in. They know very well that this administration and this Congress inherited one of the largest national debts in the history of our country from the previous administration and from their 12 years in Congress. And they are, amusingly, fighting to prevent us from trying to overcome the circumstances that they have brought about and that we have to deal with.

Yes, we have to deal with this huge economic problem, and we are dealing with it. We're dealing with it by investing money in the internal needs of this country, by bringing about better systems of education and health care, creating new technologies and new industries and huge numbers of jobs as a result of those investments, all of which they are opposed to.

You have to ask yourself, why would they be opposed to someone else trying to correct the problems that they initiated? Well, I think the answer to that is very clear. They would like to see the efforts to correct these problems stopped over the course of the next couple of years, and they would be then able to say that what we have tried to do was not successful. They wouldn't admit that they stopped it if they were able to do it, but that's exactly what they were trying to do.

They're trying to prevent intelligent economic investment in the internal needs of the American people. They're

trying to stop intelligent internal investments in the economy of our country. They're trying to stop the creation of new jobs. They're trying to stop the upgrading of the quality of the infrastructure of our Nation. They're trying to stop improvements in education. They're trying to stop improvements in health care, all of which they had the responsibility for bringing about over the course of the last 8 years.

So that's the situation that we're dealing with. This particular bill is a very strong investment in the internal needs of America. They want to halt it as much as they can, drag it out as long as possible; and if they were successful with this appropriations bill, then they would try to do the same thing with every single other appropriations bill, the appropriations that the people of America need and need badly as a result of the huge debt that they brought about and what we are trying to overcome. And we will overcome it. We will overcome it in large measure with some of the things that have been done: the economic stimulation bill, which they were opposed to, which is having a very positive effect on the economy in this country; and furthermore, the economic stimulation that will occur in each one of these appropriations bills.

So that is basically the situation that we're dealing with here, and that is why we have to have this rule and this bill, because of the needs of our country and because of the intelligent, reasonable and effective way in which we are addressing those needs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

Mr. LINCOLN DIAZ-BALART of Florida. I yield 2 minutes to the distinguished gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman.

I rise today to oppose H.R. 2847, a bill that could use taxpayer dollars for a purpose the American people are adamantly against, housing Guantanamo detainees in Federal prisons in the United States.

In a May Gallup poll, 65 percent of Americans were opposed to closing Guantanamo. Further, 74 percent of Americans opposed moving them to their own State. This bill leaves open the possibility for the Bureau of Prisons to use taxpayer dollars to house Guantanamo detainees in our communities in direct contradiction to the will of the American people.

The amendment that I wanted to submit, before the Democrats in the Rules Committee issued their gag order, specified that none of the funds appropriated by this act may be used by the Bureau of Prisons to incarcerate

individuals currently held in Guantanamo Bay. Mr. Speaker, these detainees are not convicted criminals repaying their debt to society but rather the most dangerous people on the face of the planet, terrorists who will stop at nothing to kill any and all Americans that they can. We cannot allow taxpayer dollars to be spent bringing these terrorists to live among the civilians they have sworn to destroy. Also, our prisons are already at capacity. In my Colorado district, Supermax Federal prison is at 99.7 percent capacity, leaving room for only one additional inmate, yet there are 226 prisoners now at Guantanamo. Other maximum security facilities in the U.S. are, likewise, operating at 55 percent above capacity.

The fact is, we do not have the capability to house terrorists on our own soil without endangering prison employees and posing a risk to the communities in which they are sent. The President simply does not have a plan. It is unfortunate that my Democratic colleagues do not want to debate this vital issue. I urge my colleagues to defeat this bill.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. I thank the gentleman. "Every person in America has a right to have his or her voice heard. No Member of Congress should be silenced on the floor." "Bills should generally come to the floor under a procedure that allows open, full and fair debate, consisting of a full amendment process that grants the minority the right offer its alternatives." Speaker PELOSI, A New Direction for America.

This right has been denied. This is not a new direction. It is a wrong direction. My amendment would block taxpayer dollars from being used for monuments to be named after sitting Members of Congress.

I would like to yield the balance of my time to the Chairwoman of the Rules Committee as to whether she agrees that taxpayers dollars can be used to fund Monuments to Me after sitting Members of Congress; and if she does not agree with that, why my amendment was blocked when it has been ruled in order twice before.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, in closing, I will be asking for a "no" vote on the previous question so that we can amend this rule and allow an open rule consistent with tradition and with fairness.

I urge my colleagues to consider what we are about to do and to vote "no" on the previous question so that we can uphold our tradition of allowing free and open debate on appropriations bills.

Mr. Speaker, I believe if not, the majority will come to regret this decision and close down the deliberative process of the House on appropriations bills.

I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Again, I ask for a "no" vote on the previous question so that we can uphold the tradition of openness on appropriations bills and fairness.

I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I urge a "yes" vote on the previous question and the rule.

Mr. DREIER. Mr. Speaker, whether Members realize it or not, we are at an inflection point in history, maybe not the history that school kids will learn about, but the important history of this institution that supports every aspect of our democracy.

Future Members of the House will look back on this day, and realize that today is when the last bastion of unbridled participation fell to the demands of a cynical and tyrannical majority.

There are certain points in the House's history that Member's know by name or reference. Events such as Cannon's revolt where 100 years ago a group of progressive, bull-moose Republicans, joined with Democrats to say enough is enough, to Speaker Joe Cannon. The famous Civil Rights revolt during the Johnson Administration, where obstructionist Southern Democrats on the Rules Committee were supplanted in order to advance civil rights.

The question is, will this be one of those days where where historians will say, "This is where democracy prevailed against tyranny," or will we take the easy road of limiting participation to a privileged few?

Mr. Speaker, I have a message for my colleagues: each of us must think very carefully about this vote, because once we go down this road, we aren't coming back.

That means if you're DENNIS KUCINICH, and you believe that your country is fighting an unjust war, you're going to be silenced in the months and years to come.

If you're JEFF FLAKE, and you are fighting every day against what you see as corruption and wanton spending, you are going to be gagged going forward.

If you're DEVIN NUNES, and you're fighting to make sure your farmers have water to grow crops, you are out of luck.

If you're MARCY KAPTUR, and you're promoting the interests of labor unions, get ready for a long winter.

I don't agree with most of those Members, but for this institution to work, they need to have a voice. This rule deprives them—and their constituents—of that voice.

This rule concentrates power in the hands of DAVID OBEY and NANCY PELOSI. They get to decide who offers what and when. And my colleagues better hope that they never disagree with the majority leadership, or they will find themselves relegated to the sidelines, just as we do with this rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

# AMENDMENT TO H. RES. 552 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

Strike all after the Resolving clause and insert the following:

"That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes. No further general debate shall be in order, and remaining proceedings under House Resolution 544 shall be considered as supplanted by this resolution. The bill shall continue to be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XM are waived. During consideration of the bill for amendment, the Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

## THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the

Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SLAUGHTER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 238, nays 180, not voting 15, as follows:

[Roll No. 351]

YEAS—238

Abercrombie	Cleaver	Fattah
Ackerman	Clyburn	Filmer
Altmire	Cohen	Foster
Andrews	Connolly (VA)	Frank (MA)
Baca	Conyers	Fudge
Baird	Cooper	Giffords
Baldwin	Costa	Gonzalez
Barrow	Costello	Gordon (TN)
Bean	Courtney	Grayson
Becerra	Crowley	Green, Al
Berkley	Cuellar	Green, Gene
Berman	Cummings	Griffith
Berry	Dahlkemper	Grijalva
Bishop (GA)	Davis (AL)	Gutierrez
Bishop (NY)	Davis (CA)	Hall (NY)
Blumenauer	Davis (IL)	Halvorson
Bocchieri	Davis (TN)	Hare
Boren	DeFazio	Hastings (FL)
Boswell	DeGette	Heinrich
Boucher	Delahunt	Herseth Sandlin
Boyd	DeLauro	Higgins
Brady (PA)	Dicks	Himes
Brady (IA)	Dingell	Hinchey
Brown, Corrine	Doggett	Hinojosa
Butterfield	Donnelly (IN)	Hirono
Capps	Doyle	Hodes
Capuano	Driehaus	Holden
Cardoza	Edwards (MD)	Holt
Carnahan	Edwards (TX)	Honda
Carney	Ellison	Hoyer
Carson (IN)	Ellsworth	Inslee
Castor (FL)	Engel	Israel
Chandler	Eshoo	Jackson (IL)
Clarke	Etheridge	Jackson-Lee
Clay	Farr	(TX)

Johnson (GA)	Murphy (CT)	Scott (VA)
Johnson, E. B.	Murphy (NY)	Serrano
Kagen	Murphy, Patrick	Sestak
Kanjorski	Murtha	Shea-Porter
Kaptur	Nadler (NY)	Sherman
Kildee	Napolitano	Sires
Kilpatrick (MI)	Neal (MA)	Skelton
Kilroy	Nye	Slaughter
Kind	Oberstar	Smith (WA)
Kirkpatrick (AZ)	Obey	Snyder
Kissell	Oliver	Space
Klein (FL)	Ortiz	Speier
Kucinich	Pallone	Spratt
Larsen (WA)	Pascarella	Stark
Lee (CA)	Pastor (AZ)	Stupak
Levin	Payne	Sutton
Lipinski	Perlmutter	Tanner
Loebach	Peters	Tauscher
Lofgren, Zoe	Peterson	Taylor
Lowe	Pingree (ME)	Teague
Lujan	Polis (CO)	Thompson (CA)
Lynch	Pomeroy	Thompson (MS)
Maffei	Price (NC)	Tierney
Maloney	Quigley	Titus
Markey (CO)	Rahall	Tonko
Markey (MA)	Rangel	Towns
Marshall	Reyes	Tsongas
Massa	Richardson	Van Hollen
Matsui	Rodriguez	Velázquez
McCarthy (NY)	Ross	Visclosky
McCollum	Rothman (NJ)	Walz
McDermott	Roybal-Allard	Wasserman
McGovern	Ruppersberger	Schultz
McIntyre	Rush	Waters
McMahon	Ryan (OH)	Watson
McNerney	Salazar	Watt
Meek (FL)	Sánchez, Linda	Waxman
Meeks (NY)	T.	Weiner
Melancon	Sanchez, Loretta	Welch
Michaud	Sarbanes	Wexler
Miller (NC)	Schakowsky	Wilson (OH)
Miller, George	Schauer	Woolsey
Mollohan	Schiff	Wu
Moore (KS)	Schrader	Yarmuth
Moore (WI)	Schwartz	
Moran (VA)	Scott (GA)	

NAYS—180

Aderholt	Diaz-Balart, L.	Lance
Akin	Diaz-Balart, M.	Latham
Arcuri	Dreier	LaTourette
Austria	Duncan	Latta
Bachus	Ehlers	Lee (NY)
Barrett (SC)	Emerson	Lewis (CA)
Bartlett	Fallin	Linder
Barton (TX)	Flake	LoBiondo
Biggart	Fleming	Lucas
Bilbray	Forbes	Luetkemeyer
Bilirakis	Fortenberry	Lummis
Blackburn	Fox	Lungren, Daniel
Blunt	Franks (AZ)	E.
Boehner	Frelinghuysen	Mack
Bonner	Gallagher	Manzullo
Bono Mack	Garrett (NJ)	Marchant
Boozman	Gerlach	McCarthy (CA)
Boustany	Gingrey (GA)	McCauley
Brady (TX)	Gohmert	McClintock
Brown (GA)	Goodlatte	McCotter
Brown (SC)	Granger	McHenry
Brown-Waite,	Graves	McHugh
Ginny	Guthrie	McKeon
Buchanan	Hall (TX)	McMorris
Burgess	Harper	Rodgers
Burton (IN)	Hastings (WA)	Mica
Buyer	Heller	Miller (FL)
Calvert	Hensarling	Miller (MI)
Camp	Hill	Miller, Gary
Campbell	Hoekstra	Minnick
Cao	Hunter	Mitchell
Capito	Inglis	Moran (KS)
Carter	Issa	Murphy, Tim
Cassidy	Jenkins	Myrick
Castle	Johnson (IL)	Neugebauer
Chaffetz	Johnson, Sam	Nunes
Childers	Jones	Olson
Coble	Jordan (OH)	Paul
Coffman (CO)	King (IA)	Paulsen
Cole	King (NY)	Pence
Conaway	Kingston	Perriello
Crenshaw	Kirk	Petri
Culberson	Kline (MN)	Pitts
Davis (KY)	Kosmas	Platts
Deal (GA)	Kratovil	Poe (TX)
Dent	Lamborn	Posey

Price (GA)	Scalise	Terry
Putnam	Schmidt	Thompson (PA)
Radanovich	Schock	Thornberry
Rehberg	Sensenbrenner	Tiahrt
Reichert	Sessions	Tiberi
Roe (TN)	Shadegg	Turner
Rogers (AL)	Shimkus	Upton
Rogers (KY)	Shuler	Walden
Rogers (MI)	Shuster	Wamp
Rohrabacher	Simpson	Westmoreland
Rooney	Smith (NE)	Whitfield
Ros-Lehtinen	Smith (NJ)	Wilson (SC)
Roskam	Smith (TX)	Wittman
Royce	Souder	Wolf
Ryan (WI)	Stearns	Young (AK)

## NOT VOTING—15

Adler (NJ)	Cantor	Larson (CT)
Alexander	Harman	Lewis (GA)
Bachmann	Herger	Matheson
Bishop (UT)	Kennedy	Sullivan
Bright	Langevin	Young (FL)

□ 1507

Ms. KOSMAS changed her vote from “yea” to “nay.”

Mr. GEORGE MILLER of California and Ms. WOOLSEY changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. LANGEVIN. Mr. Speaker, on June 17, 2009, I was unavoidably detained and unable to be in the Chamber for a rollcall vote. Had I been present, I would have voted “yea” on rollcall No. 351, the motion ordering the previous question on the rule for H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act for FY 2010.

Stated against:

Mr. HERGER. Mr. Speaker, on rollcall No. 351, I was unavoidably detained. Had I been present, I would have voted “nay.”

(By unanimous consent, Ms. LINDA T. SÁNCHEZ of California was allowed to speak out of order.)

INTRODUCING JOAQUIN SÁNCHEZ SULLIVAN

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today for the purpose of introducing the most important and undoubtedly the greatest piece of work I have ever brought to the floor of this House.

Mr. Speaker, before I take all of the credit, I want to thank especially the health care workers from coast to coast who helped me deliver a very healthy baby. And I want to especially recognize the distinguished doctors and nurses at Washington Hospital Medical Center and the talented doctors in Los Angeles, especially Dr. Aliabadi, Dr. Rotmench, and Dr. Iqbal.

Mr. Speaker, it is with great joy that my husband, James Sullivan and I, introduce to you and to all of my colleagues the proudest achievement and newest member of the California delegation, Joaquin Sanchez Sullivan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 201, not voting 11, as follows:

[Roll No. 352]

## YEAS—221

Abercrombie	Gutierrez	Olver
Ackerman	Hall (NY)	Ortiz
Altmire	Halvorson	Pallone
Andrews	Hare	Pascarell
Baca	Hastings (FL)	Pastor (AZ)
Baird	Heinrich	Payne
Baldwin	Hersteth Sandlin	Perlmutter
Barrow	Higgins	Peters
Bean	Himes	Pingree (ME)
Becerra	Hinche	Polis (CO)
Berkley	Hinojosa	Pomeroy
Berman	Hirono	Price (NC)
Berry	Hodes	Quigley
Bishop (GA)	Holden	Rahall
Bishop (NY)	Holt	Rangel
Boccheri	Hoyer	Reyes
Boren	Inslee	Richardson
Boswell	Israel	Rodriguez
Boucher	Jackson (IL)	Ross
Boyd	Jackson-Lee	Rothman (NJ)
Brady (PA)	(TX)	Roybal-Allard
Braley (IA)	Johnson (GA)	Ruppersberger
Brown, Corrine	Johnson, E. B.	Rush
Butterfield	Kagen	Ryan (OH)
Capuano	Kanjorski	Salazar
Cardoza	Kaptur	Sánchez, Linda
Carnahan	Kildee	T.
Carson (IN)	Kilpatrick (MI)	Sanchez, Loretta
Castor (FL)	Kilroy	Sarbanes
Chandler	Kind	Schakowsky
Children	Kirkpatrick (AZ)	Schauer
Clarke	Kissell	Schiff
Clay	Kucinich	Schrader
Cleaver	Langevin	Schwartz
Clyburn	Larsen (WA)	Scott (GA)
Cohen	Lee (CA)	Scott (VA)
Connolly (VA)	Levin	Serrano
Cooper	Lipinski	Sestak
Costa	Loeb	Shea-Porter
Costello	Loftgren, Zoe	Sherman
Courtney	Lowe	Sires
Crowley	Luján	Skelton
Cuellar	Lynch	Slaughter
Cummings	Maffei	Smith (WA)
Dahlkemper	Maloney	Snyder
Davis (CA)	Markey (CO)	Space
Davis (IL)	Markey (MA)	Spratt
Davis (TN)	Marshall	Stark
DeGette	Massa	Stupak
DeLauro	Matheson	Sutton
Dicks	Matsui	Tanner
Dingell	McCarthy (NY)	Tauscher
Doggett	McCollum	Taylor
Doyle	McDermott	Teague
Driehaus	McGovern	Thompson (MS)
Edwards (MD)	McIntyre	Tierney
Edwards (TX)	McMahon	Titus
Ellison	McNerney	Tonko
Ellsworth	Meeks (NY)	Towns
Engel	Melancon	Tsongas
Etheridge	Michaud	Van Hollen
Fattah	Miller (NC)	Velázquez
Filner	Mollohan	Visclosky
Foster	Moore (KS)	Walz
Frank (MA)	Moore (WI)	Wasserman
Fudge	Moran (VA)	Schultz
Giffords	Murphy (CT)	Watson
Gonzalez	Murphy, Patrick	Watt
Gordon (TN)	Murtha	Waxman
Grayson	Nadler (NY)	Weiner
Green, Al	Napolitano	Welch
Green, Gene	Neal (MA)	Wexler
Griffith	Nye	Wilson (OH)
Grijalva	Oberstar	Yarmuth
	Obey	

## NAYS—201

Aderholt	Bishop (UT)	Broun (GA)
Akin	Blackburn	Brown (SC)
Arcuri	Blumenauer	Brown-Waite,
Austria	Blunt	Ginny
Bachus	Boehner	Buchanan
Barrett (SC)	Bonner	Burgess
Bartlett	Bono Mack	Burton (IN)
Barton (TX)	Boozman	Buyer
Biggart	Boustany	Calvert
Bilbray	Brady (TX)	Camp
Bilirakis	Bright	Campbell

Cantor	Issa	Pence
Cao	Jenkins	Perriello
Capito	Johnson (IL)	Petri
Capps	Johnson, Sam	Pitts
Carney	Jones	Platts
Carter	Jordan (OH)	Poe (TX)
Cassidy	King (IA)	Posey
Castle	King (NY)	Price (GA)
Chaffetz	Kingston	Putnam
Coble	Kirk	Radanovich
Coffman (CO)	Klein (FL)	Rehberg
Cole	Kline (MN)	Reichert
Conaway	Kosmas	Roe (TN)
Conyers	Kratovil	Rogers (AL)
Crenshaw	Lamborn	Rogers (KY)
Culberson	Lance	Rogers (MI)
Davis (KY)	Latham	Rohrabacher
Deal (GA)	LaTourette	Rooney
DeFazio	Latta	Ros-Lehtinen
Dent	Lee (NY)	Roskam
Diaz-Balart, L.	Lewis (CA)	Royce
Diaz-Balart, M.	Linder	Ryan (WI)
Donnelly (IN)	LoBiondo	Scalise
Dreier	Lucas	Schmidt
Duncan	Luetkemeyer	Schock
Ehlers	Lummis	Sensenbrenner
Emerson	Lungren, Daniel	Sessions
Eshoo	E.	Shadegg
Fallin	Mack	Shimkus
Farr	Manzullo	Shuler
Flake	Marchant	Shuster
Fleming	McCarthy (CA)	Simpson
Forbes	McCaul	Smith (NE)
Fortenberry	McClintock	Smith (NJ)
Fox	McCotter	Smith (TX)
Franks (AZ)	McHenry	Souder
Frelinghuysen	McHugh	Speier
Gallegly	McKeon	Stearns
Garrett (NJ)	McMorris	Terry
Gerlach	Rodgers	Thompson (CA)
Gingrey (GA)	Meek (FL)	Thompson (PA)
Gohmert	Mica	Thornberry
Goodlatte	Miller (FL)	Tiahrt
Granger	Miller (MI)	Tiberi
Graves	Miller, Gary	Turner
Guthrie	Miller, George	Upton
Hall (TX)	Minnick	Walden
Harper	Mitchell	Wamp
Hastings (WA)	Moran (KS)	Waters
Heller	Murphy (NY)	Westmoreland
Hensarling	Murphy, Tim	Whitfield
Herger	Myrick	Wilson (SC)
Hill	Neugebauer	Wittman
Hoekstra	Nunes	Wolf
Honda	Olson	Woolsey
Hunter	Paul	Wu
Inglis	Paulsen	Young (AK)

## NOT VOTING—11

Adler (NJ)	Harman	Peterson
Alexander	Kennedy	Sullivan
Bachmann	Larson (CT)	Young (FL)
Davis (AL)	Lewis (GA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1520

Ms. SPEIER and Messrs. BLUMENAUER and HONDA changed their vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# PRIVILEGED REPORT ON RESOLUTION IMPEACHING SAMUEL B. KENT

Mr. SCHIFF, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 111-159) on the resolution (H. Res. 520) impeaching Samuel B. Kent, judge of the United States District Court for the Southern District of Texas, for high crimes and misdemeanors, which was referred to the House Calendar and ordered to be printed.

## GENERAL LEAVE

Mr. MOLLOHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2847, and that I may include tabular material in the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

# COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 552 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2847.

□ 1523

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce, Justice, Science, and Related Agencies for the fiscal year ending September 30, 2010, with Mr. BLUMENAUER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 16, 2009, amendment No. 8 offered by the gentleman from Illinois (Mr. SCHOCK) had been disposed of and the bill had been read through page 4, line 7.

Pursuant to House Resolution 552, no further general debate shall be in order.

No further amendment shall be in order except: (1) amendments numbered 3, 6, 19, 22, 25, 31, 35, 41, 59, 60, 62, 63, 69, 71, 93, 96, 97, 98, 100, 102, 111, 114, and 118 printed in the CONGRESSIONAL RECORD of June 15, 2009, which may be offered only by the Member who submitted it for printing or a designee, and (2) not to exceed 10 of the following amendments if offered by the ranking minority member of the Committee on Appropriations or his designee: amendments numbered 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 104, 105, 106, 107, and 108 printed in the CONGRESSIONAL RECORD of June 15, 2009. Each amendment shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and opponent, and shall not be subject to a demand for division of the question. An amendment may be offered only at the appropriate point in the reading.

The Chair and ranking minority member of the Committee on Appropriations or their designees each may offer a pro forma amendment for the purpose of debate following consideration of any amendment previously described.

The Clerk will read.

The Clerk read as follows:

## BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$100,342,000, to remain available until expended, of which \$14,767,000 shall be for inspections and other activities related to national security: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

## ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, \$255,000,000, to remain available until expended.

## SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$38,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

## MINORITY BUSINESS DEVELOPMENT AGENCY MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$31,000,000: *Provided*, That within the amounts appropriated, \$900,000 shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

## ECONOMIC AND STATISTICAL ANALYSIS SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$97,255,000, to remain available until September 30, 2011.

## BUREAU OF THE CENSUS SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$259,024,000.

## PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to collect and publish statistics for periodic censuses and programs provided for by law, \$7,115,707,000, of which \$206,000,000 shall be derived from available unobligated balances previously appropriated under this heading, to remain available until September 30, 2011: *Provided*, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of census data on race identification that does not include "some other race" as a category: *Provided further*, That from amounts provided herein, funds may be used for additional promotion, outreach, and marketing activities.

## NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$19,999,000, to remain available until September 30, 2011: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

## PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants, authorized by section 392 of the Communications Act of 1934, \$20,000,000, to remain available until expended as authorized by section 391 of the Act: *Provided*, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further*, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

## UNITED STATES PATENT AND TRADEMARK OFFICE

## SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$1,930,361,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2010, so as to result in a fiscal year 2010 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2010, should the total amount of offsetting fee collections be less than \$1,930,361,000, this amount shall be reduced accordingly: *Provided further*,

That any amount received in excess of \$1,930,361,000 in fiscal year 2010, in an amount up to \$100,000,000 shall remain available until expended: *Provided further*, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year 2010 for official reception and representation expenses: *Provided further*, That in fiscal year 2010 and hereafter, from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts: *Provided further*, That sections 801, 802, and 803 of division B, Public Law 108-447 shall remain in effect during fiscal year 2010: *Provided further*, That the Director may, this year, reduce by regulation fees payable for documents in patent and trademark matters, in connection with the filing of documents filed electronically in a form prescribed by the Director: *Provided further*, That from the amounts provided herein, no less than \$4,000,000 shall be available only for the USPTO contribution in a cooperative or joint agreement or agreements with a non-profit organization or organizations, successfully audited within the previous year, and with previous experience in such programs, to conduct policy studies, including studies relating to activities of United Nations Specialized agencies and other international organizations, as well as conferences and other development programs, in support of fair international protection of intellectual property rights.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY  
SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$510,000,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": *Provided*, That not to exceed \$10,000 shall be for official reception and representation expenses.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, \$124,700,000, to remain available until expended. In addition, for necessary expenses of the Technology Innovation Program of the National Institute of Standards and Technology, \$69,900,000, to remain available until expended.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$76,500,000, to remain available until expended, of which \$20,000,000 is for a competitive construction grant program for research science buildings: *Provided further*, That the Secretary of Commerce shall include in the budget justification materials that the Sec-

retary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
OPERATIONS, RESEARCH, AND FACILITIES  
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,198,793,000, to remain available until September 30, 2011, except for funds provided for cooperative enforcement, which shall remain available until September 30, 2012: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management" and in addition \$104,600,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That of the \$3,317,393,000 provided for in direct obligations under this heading \$3,198,793,000 is appropriated from the general fund, \$107,600,000 is provided by transfer, and \$11,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$228,549,000: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$41,944,000: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: *Provided further*, That within the amounts appropriated, \$37,500,000 shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

AMENDMENT NO. 19 OFFERED BY MS. BORDALLO

Ms. BORDALLO. Mr. Chairman, I have an amendment at the desk, amendment No. 19, printed in the CONGRESSIONAL RECORD on June 15, 2009.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Ms. BORDALLO:

Page 13, line 11, after the dollar amount insert "(increased by \$500,000)".

Page 13, line 24, after the dollar amount insert "(increased by \$500,000)".

Page 13, line 25, after the dollar amount insert "(increased by \$500,000)".

Page 17, line 12, after the dollar amount insert "(reduced by \$500,000)".

The Acting CHAIR. Pursuant to House Resolution 552, the gentlewoman from Guam and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Guam.

Ms. BORDALLO. Mr. Chairman, I offer this amendment for the purposes of ensuring that not less than \$500,000 is appropriated to the National Oceanic and Atmospheric Administration for grants to be awarded in 2010 by the Secretary of Commerce for Western Pacific Fishery Demonstration Projects.

The amendment ensures funding is provided for this authorized, competitive-based grants program in fiscal year 2010. The Western Pacific Demonstration Projects program is authorized by Public Law 104-297, the Sustainable Fisheries Act. The program was funded at the maximum authorized level, \$500,000, each year from 1999 through 2005. My amendment would restart the program at this same level of funding.

Valuable and economically innovative projects in Western Pacific fisheries have been demonstrated and explored through this program in previous rounds of competition. The program is important to the communities represented on the Western Pacific Regional Fishery Management Council, which includes my own district, the Territory of Guam.

Mr. Chairman, the program's chief purpose, as authorized, is to establish not less than three and not more than five fishery demonstration projects to foster and promote traditional indigenous fishing practices. In the last rounds of competition in 2004 and 2005, five grants were awarded to applicants in the State of Hawaii, three each to American Samoa and the Commonwealth of the Northern Mariana Islands, and one for Guam.

I am grateful for the opportunity to offer this amendment, and I want to thank the distinguished gentleman from West Virginia (Mr. MOLLOHAN) and our colleague from Virginia, Mr. WOLF, and their staffs for their attention to this amendment.

□ 1530

I hope to secure their support today for the adoption of this amendment, and I look forward to working with them to ensure that this issue is addressed appropriately in conference.

And, finally, I want to state that the issue of protecting indigenous culture, as this amendment does, with respect to traditional fishing practices is important, not only to myself, but to our colleagues from CNMI, American Samoa and Hawaii.

I reserve the balance of my time.



Mr. WOLF. I ask unanimous consent to claim the time, but I am not in opposition.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. WOLF. I have no objection, and I just yield back the balance of the time.

Mr. MOLLOHAN. Will the gentlelady yield for purposes of accepting the amendment?

Ms. BORDALLO. Yes.

Mr. MOLLOHAN. Mr. Chairman, we have no objection to the amendment, and we accept the amendment.

Ms. BORDALLO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Guam (Ms. BORDALLO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. WOLF. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Guam will be postponed.

Mr. WOLF. Mr. Chairman, I strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, as the ranking member on the committee, I feel an obligation just to make a comment to kind of put things in perspective, particularly as the American people are watching, because I think what we're doing today is setting a very bad and a dangerous precedent.

I've been around the House for a while, and I've been involved in debates on scores of appropriations bills. Traditionally, whether it's been Democrats or Republicans in the majority, we've had open rules on spending bills, and a respectful working relationship across the aisle; and that's the way it should be, and that's what the American people expect, a cooperative attitude and the opportunity for full scrutiny of how their tax dollars are being spent.

I didn't like the preprinting requirement for amendments that the majority instituted to start the appropriations process on the floor this session with the Commerce-Justice-Science bill. I supported an open rule so that every Member could have the opportunity to review the entire bill, and if there were programs that Members believed could be cut, then we could debate that amendment and the House could work its will.

So we started the process late last night to debate the preprinted amendments. And 21 minutes into the amendment debate, the chairman of the committee pulled the plug on that process and on the Members who, really, in good faith, followed the instructions of the preprinting. They went up; they did everything that was asked of them. The rules, Mr. Chairman, were then changed in the middle of the night, and

now we have even a more controlled process.

Members on my side, and I think if you kind of do unto others as you would have them do unto you can think, if you were in that situation and had gone through the same thing the guys on our side, Members on our side, how you would feel. Members on my side have the right to have their voice heard and offer amendments to control spending. Members on both sides had substantive, thoughtful amendments.

Members on my side have the right to have their voice heard and offer amendments, whatever they may be, to control spending or whatever. Members on both sides also have substantive and thoughtful amendments that were germane and in order, and now those Members have lost the opportunity to offer them.

For example, Mr. ROGERS from Michigan, who was an FBI agent, who went to Afghanistan, God bless him for taking the time for the oversight, who serves on the Intelligence Committee, had a very important amendment regarding an apparent policy initiative by this administration, to expand the practice of reading Miranda rights to detainees in the custody of the U.S. Armed Forces in Afghanistan. It's called global justice.

Mr. ROGERS wanted to talk about that and offer an amendment. And whether we would pass it or not, he had every right to do so. And now Mr. ROGERS and other Members have legitimate concerns about such policies. He simply wanted the opportunity to offer his amendment and let the House vote. He complied with the printing requirement. He testified late last night, sat up here late into the night, till 12:30 or 1 in the morning. He testified at the Rules Committee; and yet, now, Mr. ROGERS finds he is unable to even offer this amendment that deals with the whole fundamental issue of the war on terror, what's taking place in Afghanistan, and all these issues.

Closing, this is a departure from the traditional open rules and the comity that has characterized the appropriation process over the years.

If we can't even come up with a fair process to debate annual spending bills on this floor, how can we ever hope to ever, ever, ever find solutions to the big problems that this country has?

I yield back the balance of my time.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I did not want to get into this subject yet again, but I guess we have to.

I would like to put in perspective why we are here under these circumstances. As everyone in this Chamber understands, we have, for the last 4 months, been dealing with a national economic emergency, and an absolute crisis in terms of the war in the Middle East, especially in Pakistan and Af-

ghanistan. So this Chamber has been hugely occupied for 4 months.

And now, finally, after finishing our major economic leftovers from the previous year, we're now turning to the appropriations bill. The hard fact is that everyone says they want appropriation bills to be finished individually, not collectively, in an omnibus. And yet, we only have 6 weeks to accomplish that. We have to pass 12 major appropriation bills in 6 weeks and still leave enough time on the calendar to deal with health care, to deal with climate change, to deal with the military authorization bill, and several other crucial issues.

So Mr. HOYER, the majority leader, and I, went to our friends on the Republican side of the aisle, went to both the minority leader and the ranking member of the committee, and asked whether or not we could reach agreement that would enable us to meet that schedule. And we pointed out that the schedule that we have set requires that we set aside no more than about 8 or 9 hours to debate each of the bills with all of the amendments thereto.

We were told that they did not believe that they could participate in that kind of a tight schedule. So then we tried to proceed anyway.

We asked Members to prefile amendments so that every Member of this House would know what they were expected to vote on. We confronted the fact that 127 amendments were filed. That will take at least 23 or 24 hours, just to debate those amendments. And that blows the entire schedule for the entire 6 weeks.

One Member today said, "Well, what's wrong if it takes 40 hours to pass this bill?" The fact is that that would be one-third of the time remaining on the schedule for all 12 appropriation bills.

We've got an obligation to get our work done. And so what Mr. HOYER and I did was even offer the minority leader the opportunity, in a compressed number of amendments, to select their own amendments, any amendments they wanted. But they did not want to be limited in number or time. I don't fault them for it. I'm simply stating facts.

Now, we have one misunderstanding around here. We have the impression that somehow appropriation bills have always been considered in open rules. The fact is, I have a sheet here which shows 25 previous occasions where appropriations have been continued under structured or modified, or even closed rules. And this is only when Republicans were in control. This does not count the more than a dozen times under Democratic control, when we had significantly limited rules for appropriation bills, including the Foreign Operations bill, D.C., the Defense Bill, Interior and the Legislative Appropriations bill.

So I simply state this, not to get into a perennial argument, but to make clear we have tried every way we can to involve the minority. We've asked

them several times if they could participate in a compressed schedule.

I don't think that it's necessary to debate all of these bills for 40 hours. But we are giving—there are going to be 33 amendments offered to this bill under the rule, and only nine of them are Democratic amendments. The rest are Republican amendments. I think that's treating the minority especially fairly.

Mr. LEWIS of California. Would the gentleman yield?

Mr. OBEY. Sure.

Mr. LEWIS of California. I appreciate my colleague yielding. We had a discussion on the floor yesterday where you were essentially asking me this question: How can we get a handle on reasonably controlling the time, et cetera? And you and I have had back and forth regarding that whole discussion.

I appreciate your concern about the schedule here. But my goodness, when you have the number of amendments that we had filed on this bill, and we knew many of them would fall off, you and I discussed that between each other. But then the first amendment, to have that taking us back to the Rules Committee is incredible, and I can't quite believe you'd do that.

Mr. OBEY. Let me take back my time. Let me simply say that this is the third year that we've been in this situation where we've been filibustered by amendment, and we recognize a filibuster by amendment when we see it.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

#### PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,409,148,000, to remain available until September 30, 2012, except funds provided for construction of facilities which shall remain available until expended: *Provided*, That of the \$1,411,148,000 provided for in direct obligations under this heading \$1,409,148,000 is appropriated from the general fund and \$2,000,000 is provided from recoveries of prior year obligations: *Provided further*, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President

under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration Procurement, Acquisition, or Construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

#### COASTAL ZONE MANAGEMENT FUND (INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research, and Facilities" account to offset the costs of implementing such Act.

#### FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2009, obligations of direct loans may not exceed \$8,000,000 for Individual Fishing Quota loans and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

#### DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, \$60,000,000: *Provided*, That the Secretary, within 30 days of enactment of this Act, shall provide a report to the Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: *Provided further*, That of the amounts provided to the Secretary within this account, \$5,000,000 shall not become available for obligation until the Secretary certifies to the House and Senate Committees on Appropriations that the Bureau of the Census has followed and met all standards and best practices, and all Office of Management and Budget guidelines related to information technology projects and contract management.

#### AMENDMENT NO. 3 OFFERED BY MS. MOORE OF WISCONSIN

Ms. MOORE of Wisconsin. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. MOORE of Wisconsin:

In title I, in the paragraph entitled "Salaries and Expenses" immediately following the heading "Departmental Management" insert "(reduced by \$4,000,000)" after "\$60,000,000".

Page 42, line 7, after "\$400,000,000" insert "(increased by \$4,000,000)".

In title II, in the paragraph entitled "Violence Against Women Prevention and Prosecution Programs" under the heading "State and Local Law Enforcement Activities Office on Violence Against Women" in the numbered item in the second proviso relating to legal assistance for victims as authorized by section 1201 of the 2000 Act, insert "(increased by \$4,000,000)" after "\$37,000,000".

The Acting CHAIR. Pursuant to House Resolution 552, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE of Wisconsin. Mr. Chairman, my amendment increases funding for a critical program, the Violence Against Women Act Legal Assistance Program by \$4 million.

I would like to thank Representative POE for his diligent work on this amendment. And I also want to thank Representative MOLLOHAN for his commitment on this issue as well.

You know, we all make lawyer jokes, but to the women who face domestic violence and need legal representation to successfully flee their abusers, obtain orders of protection, and retain custody of their children, the lack of legal representation is definitely not a laughing matter.

Nearly 70 percent of the women who bravely take their abusers to court do so without legal representation. And too often, having an attorney present is the deciding factor in obtaining that lifesaving personal protection order or getting custody of your kids or receiving transitional housing.

It's a sad day when a family is forced to stay with their abuser because they don't know how to navigate through the court system.

Earlier this week, Mr. Chairman, I heard from Chris in Wisconsin, whose husband sent her to the emergency room a dozen times, broke her foot, held a gun to her head, and threatened to poison her four children before she was able to escape with the help of legal assistance after 5 long years of torture.

I also heard from Danielle of Madison, Wisconsin, who obtained a divorce from her wealthy attorney husband who repeatedly beat and stabbed her, but was left battling her husband's expensive attorney for custody 2 years after the divorce. Her effort to study the Wisconsin statutes and defend herself in court drew ridicule and rebuke from the judge. These are just a couple of examples.

I would like to yield to Mr. MOLLOHAN.

Mr. MOLLOHAN. I thank the gentlewoman, and thank her for her amendment.

Mr. Chairman, we are prepared to accept the amendment.

Mr. WOLF. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. WOLF. I yield to the gentleman from Texas, Judge POE, for 5 minutes.

□ 1545

Mr. POE of Texas. I thank the gentleman for yielding, and I appreciate the gentlewoman from Wisconsin for her representation and hard work on this amendment.

Mr. Chairman, this amendment is a strong amendment, and it puts forth the proposition that victims' issues aren't partisan issues; they're people issues.

I strongly support this amendment to increase Legal Assistance for Victims by \$4 million. That doesn't sound like much, but it's a lot of money for victims of crime. It will bring the total Legal Assistance for Victims grants to \$41 million. This funding is offset by a \$4 million reduction from the Department of Commerce—Departmental Management, Salaries and Expenses account. I think that money would be better served in being given to the Legal Assistance for Victims rather than giving raises and salaries to this department.

These legal assistance grants provide much needed funding for domestic violence victims to seek protective orders, child custody, child support, and housing and public benefits assistance.

As I found during my 30 years as a prosecutor and as a judge, too often, domestic violence and sexual assault victims have to appear in court by themselves, alone. They don't have high-dollar lawyers pleading their cases or guiding them through the complex and often burdensome legal system that we have in all of our States and Federal courts. Instead, even though those who supposedly loved them chose to beat them up, they have to pay the price to fight their way through the legal system to request civil protection. This shouldn't be. We need to match civil justice with our criminal justice system.

The Civil Legal Assistance for Victims program provides funding to meet the legal needs of domestic violence and sexual assault victims. It is the only federally funded program designed to meet all of the legal assistance needs of victims. It is one of the most crucial and lifesaving programs in the Violence Against Women Act; yet it remains critically underfunded. The demand for legal services is so high that the Office on Violence Against Women receives almost 300 applications per year, but that office is only able to fund one-third of the total request.

We have a duty to protect the innocent and to make sure their voices are heard in our court system. We must ensure that victims are not further victimized by their abusers through the legal system in this country.

As founder and co-Chair of the bipartisan Victims' Rights Caucus, I support this amendment. I strongly urge its passage.

Ms. MOORE of Wisconsin. Well, thank you so much. I just want to mention again what an amazing partner Mr. POE has been with this initiative. Indeed, this is not a partisan issue.

Mr. POE mentioned that these funds will be drawn from the Department of Commerce's salaries and expenses, of which they're provided \$60 million. That's \$7 million over last year's funding. Of course, legal assistance programs have steadily declined since 2003, and only about a third of women who appear in court, the applicants who actually apply for this legal funding, actually receive funding. So this is really

critical funding and support to help these women leave their abusers.

For every Danielle and Chris who are able to free themselves of their abusers, there are four other women out there who are still being silenced because they don't have access to adequate legal representation. This \$4 million is very appreciated. It's not enough, but it's a great start. The legal assistance program is one of the most effective tools to ensure that battered women and children have a voice in our justice system. I urge support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.

The Clerk will read.

The Clerk read as follows:

#### HERBERT C. HOOVER BUILDING RENOVATION AND MODERNIZATION

For expenses necessary, including blast windows, for the renovation and modernization of the Herbert C. Hoover Building, \$5,000,000, to remain available until expended.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$27,000,000.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in

advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce: *Provided further*, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

SEC. 104. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 105. The requirements set forth by section 112 of division B of Public Law 110–161 are hereby adopted by reference.

SEC. 106. Notwithstanding any other law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms or organizations are authorized pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, as amended, on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 107. The Administration of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency or instrumentality of the United States, or of any state, local government, Indian tribal government, Territory or possession, or of any political subdivision thereof, or of any foreign government or international organization for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

This title may be cited as the “Department of Commerce Appropriations Act, 2010”.

#### TITLE II

#### DEPARTMENT OF JUSTICE

##### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$118,488,000 of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available

until expended: *Provided*, That the Attorney General is authorized to transfer funds appropriated within General Administration to any office in this account: *Provided further*, That \$14,693,000 is for Department Leadership; \$8,101,000 is for Intergovernmental Relations/External Affairs; \$12,715,000 is for Executive Support/Professional Responsibility; and \$82,979,000 is for the Justice Management Division: *Provided further*, That any change in amounts specified in the preceding proviso greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations consistent with the terms of section 505 of this Act: *Provided further*, That this transfer authority is in addition to transfers authorized under section 505 of this Act.

AMENDMENT NO. 41 OFFERED BY MR. BOSWELL

Mr. BOSWELL. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. BOSWELL: In the item relating to "Department of Justice—General Administration—Salaries and Expenses", after the first dollar amount, insert "(reduced by \$2,500,000)".

In the item relating to the "National Criminal History Improvement program" in paragraph (25) under the heading "State and Local Law Enforcement Assistance", after the dollar amount, insert "(increased by \$2,500,000)".

The Acting CHAIR. Pursuant to House Resolution 552, the gentleman from Iowa (Mr. BOSWELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa for 5 minutes.

Mr. BOSWELL. I would like to thank Chairman MOLLOHAN and Ranking Member WOLF for their hard work on H.R. 2847, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2010.

Mr. Chairman, this amendment would provide an increase of \$2.5 million for the National Criminal History Improvement Program. I have brought this issue to the floor for several years now, and it consistently receives bipartisan support.

I thank my colleagues for their continued support and for their commitment to law enforcement officers and public safety. I believe that this increase is incredibly important for law enforcement. We must ensure that the intelligence our officers are working off of is up to date and accurate.

The National Criminal History Improvement Program ensures that States improve their infrastructure to connect to the national records system. It helps protect our most vulnerable populations by improving law enforcement's ability to identify persons ineligible to hold positions involving children, the elderly or the disabled. The program also helps law enforcement officers protect our communities from individuals with histories of stalking and of committing acts of domestic violence. I think my colleagues will agree this is an important investment.

I would like to yield to the distinguished chairman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, let me simply say that I think, on this side of the aisle, the committee certainly agrees with the gentleman's assertions, and we would be happy to accept the amendment.

Mr. BOSWELL. We thank you.

With that, I would urge the adoption of this amendment.

I will reserve my time for any comments that might be made from the other side.

Mr. WOLF. Mr. Chairman, we have no objection to the amendment. We support the amendment.

Mr. BOSWELL. With that, I urge the adoption of the amendment, and I yield back my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. BOSWELL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

The Clerk will read.

The Clerk read as follows:

#### NATIONAL DRUG INTELLIGENCE CENTER

For necessary expenses of the National Drug Intelligence Center, \$44,023,000, of which \$2,000,000 shall be for reimbursement of Air Force personnel for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities: *Provided*, That the National Drug Intelligence Center shall maintain the personnel and technical resources to provide timely support to law enforcement authorities and the intelligence community by conducting document and computer exploitation of materials collected in Federal, State, and local law enforcement activity associated with counter-drug, counterterrorism, and national security investigations and operations.

#### JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$109,417,000, to remain available until expended, of which not less than \$21,132,000 is for the unified financial management system.

#### TACTICAL LAW ENFORCEMENT WIRELESS COMMUNICATIONS

For the costs of developing and implementing a nation-wide Integrated Wireless Network supporting Federal law enforcement communications, and for the costs of operations and maintenance of existing Land Mobile Radio legacy systems, \$205,143,000, to remain available until expended: *Provided*, That the Attorney General shall transfer to this account all funds made available to the Department of Justice for the purchase of portable and mobile radios: *Provided further*, That any transfer made under the preceding proviso shall be subject to section 505 of this Act.

#### ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and

immigration-related activities, \$300,685,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account.

#### DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, \$1,438,663,000, to remain available until expended: *Provided*, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That not to exceed \$5,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to 18 U.S.C. 4013(b).

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$84,368,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$12,859,000.

#### LEGAL ACTIVITIES

##### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$875,097,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$10,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the election monitoring program \$3,390,000, shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$163,170,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, fees collected for premerger notification filings under the

Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$102,000,000 in fiscal year 2010), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2010, so as to result in a final fiscal year 2010 appropriation from the general fund estimated at \$61,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergovernmental and cooperative agreements, \$1,934,003,000: *Provided*, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended: *Provided further*, That of the amount provided under this heading, not less than \$36,980,000 shall be used for salaries and expenses for assistant U.S. Attorneys to carry out section 704 of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) concerning the prosecution of offenses relating to the sexual exploitation of children: *Provided further*, That of the amount provided under this heading, \$6,000,000 is for salaries and expenses for new assistant U.S. Attorneys to carry out additional prosecutions of serious crimes in Indian Country.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$224,488,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$210,000,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2009, so as to result in a final fiscal year 2009 appropriation from the Fund estimated at \$9,488,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,117,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$168,300,000, to remain available until expended, of which not to exceed \$10,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 may be made available for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$11,479,000: *Provided*, That

notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), \$20,990,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,138,388,000; of which not to exceed \$30,000 shall be available for official reception and representation expenses; of which not to exceed \$4,000,000 shall remain available until expended for information technology systems; and of which not less than \$12,625,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$14,000,000, to remain available until expended.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$87,938,000; of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: *Provided*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$528,569,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$7,718,741,000, of which \$101,066,000 is designated as being for overseas deployments and other activities pursuant to section 423(a)(1) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and of which not to exceed \$150,000,000 shall remain available until expended: *Provided*, That not to exceed \$205,000 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally owned buildings; and preliminary planning and design of projects; \$132,796,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,019,682,000; of which not to exceed \$75,000,000 shall remain available until expended; and of which not to exceed \$100,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, not to exceed \$40,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,105,772,000, of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code; and of which not to exceed \$10,000,000 shall remain available until expended: *Provided*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 478.118 or to change the definition of "Curios or relics" in 27 CFR 478.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title

18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments in fiscal year 2010: *Provided further*, That, beginning in fiscal year 2010 and thereafter, no funds appropriated under this or any other Act may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), except to: (1) a Federal, State, local, or tribal law enforcement agency, or a Federal, State, or local prosecutor; or (2) a foreign law enforcement agency solely in connection with or for use in a criminal investigation or prosecution; or (3) a Federal agency for a national security or intelligence purpose; unless such disclosure of such data to any of the entities described in (1), (2) or (3) of this proviso would compromise the identity of any undercover law enforcement officer or confidential informant, or interfere with any case under investigation; and no person or entity described in (1), (2) or (3) shall knowingly and publicly disclose such data; and all such data shall be immune from legal process, shall not be subject to subpoena or other discovery, shall be inadmissible in evidence, and shall not be used, relied on, or disclosed in any manner, nor shall testimony or other evidence be permitted based on the data, in a civil action in any State (including the District of Columbia) or Federal court or in an administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of chapter 44 of such title, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent: (A) the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title); (B) the sharing or exchange of such information among and between Federal, State, local, or foreign law enforcement agencies, Federal, State, or local prosecutors, and Federal national security, intelligence, or counterterrorism officials; or (C) the publication of annual statistical reports on products regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives, including total production, importation, and exportation by each licensed importer (as so defined) and licensed manufacturer (as so defined), or statistical aggregate data regarding firearms traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations: *Provided further*, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: *Provided further*, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

FEDERAL PRISON SYSTEM  
SALARIES AND EXPENSES

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed \$31, of which 743 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,077,231,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*, That not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2011: *Provided further*, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980 (8 U.S.C. 1522 note), for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.

AMENDMENT NO. 25 OFFERED BY MR. ROE OF  
TENNESSEE

Mr. ROE of Tennessee. Mr. Chairman, I have an amendment at the desk.  
The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. ROE of Tennessee:

Page 38, line 13, after the dollar amount, insert "(reduced by \$97,400,000)".

The Acting CHAIR. Pursuant to House Resolution 552, the gentleman from Tennessee (Mr. ROE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. ROE of Tennessee. I yield myself 2½ minutes.

Mr. Chairman, I believe the level of spending in this bill is irresponsible in light of our deficits, but I also know my view is in the minority. This is about priorities and it is about morals.

This year, we are going to pass \$1.8 trillion in new debt on to our children's generation. I would argue that passing this level of debt on to our next generation is immoral. So far, there has been not one iota of interest in setting pri-

orities from the majority. Instead, they've chosen to fund everything generously and call that priority setting. That's their prerogative. They won the election, and they are entitled to run our Nation's credit card well past its limit to never-before-seen levels.

When it comes to spending in budgets, it is clear from debates that there is no interest in adopting Republican ideas by my friends on the other side of the aisle, so I went to a source you might not think a Republican would look at: President Obama's budget.

The President has requested nearly \$6 billion for the Federal prison system. The Democratic Congress has increased that by \$97.4 million.

We are trying to support the President and show a little bit of fiscal restraint by adopting the President's budgeted level. In percentage terms, this means we are growing at 6.8 percent instead of 8.6 percent. If it passes, the amendment's impact will not be huge, but it sends a message, however small, that this Congress is not completely tone deaf to the concerns about the deficit of runaway spending.

It is important to note this is not a vote on whether to cut the program. It is a vote on whether to provide the program the President's proposed increase or to provide it the Democratic leadership's proposed increase.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise in strong opposition to this amendment.

Indeed, this would be a huge impact on the Bureau of Prisons. There is not an agency in this bill that is in greater need of additional salaries and expenses money. This amendment would eliminate \$97.4 million, the increase for the Bureau of Prisons' salaries and expenses account that the committee provided above the budget request.

The amount of the increase was not pulled out of thin air. It was precisely calculated based on an in-depth analysis by the Appropriation Committee's surveys and investigations staff to be the minimum amount necessary to restore BOP's base budget, which has been progressively hollowed out in recent years by inadequate budget requests.

□ 1600

Without this \$97.4 million, the Bureau of Prisons will be unable to hire additional correctional officers, which it desperately needs, and will likely be unable to activate two newly constructed prisons. The BOP simply cannot sustain another year without additional prison capacity and staffing. The Bureau of Prisons prisoner population is currently 37 percent above the rated capacity for BOP facilities, and the prisoner-to-staff ratio is an appalling



4.9 to 1. A ratio of 3.2 to 1 is the average for the States, which is far better than the average that the Bureau of Prisons used to approach.

Not only does inadequate investment in Federal prisons result in unsafe working conditions for prison staff, as we have seen from attacks and even fatalities in our prison system, it also makes it impossible to do the kind of reentry programming necessary to reduce recidivism. The result is more crime in our communities and a higher long-term cost to the taxpayer of future incarceration.

I am really not exaggerating, Mr. Chairman, when I say that there is no other agency in the bill for which I am more confident about the need for additional resources. I urge our Members in as strong as possible terms to reject this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield myself 1 minute.

I certainly understand the budget constraints. I've been a mayor, had a jail system under my supervision, and I also know that around this Nation there are cities and States that are dealing with budget deficits never before seen, and here is the only place in the world I have ever seen where we raise it almost 9 percent and then give the President exactly what he wanted and call that a draconian cut. It is not.

We should show some fiscal restraint here in the House as an example to the people around this country, families and cities and municipalities and States, that are working hard to balance their budget. In my own hometown they're doing that by making real cuts, not making huge increases and reducing it somewhat. This is a very minimal cut, and not a cut actually but a reduction, and exactly what the President of the United States asked for.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I urge opposition to the amendment, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. ROE).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. ROE of Tennessee. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

The CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Virginia for yielding time to me in this debate. And, Mr. Chair-

man, there's a lot more time that should be yielded for this debate, and it should have been yielded within the original agreement that came from the Rules Committee.

This appropriations bill didn't come to this floor under an open rule, which has been the deep and long-standing tradition of the House of Representatives. It came to the floor under a structured open rule and under the request that said print your amendments into the RECORD and then there will be 5 minutes debate on each side, and we'll go down through all of those.

Now, anybody would have known that all the amendments that were printed in the RECORD would not have been offered. But I will also submit this, and it hasn't been said here, I don't believe, Mr. Chairman, that these amendments that were printed into the RECORD laid out the entire amendment strategy of the minority party. And the majority party then took their leisure to thumb down through the amendments and decided that they didn't want to have debate on a good number of them, which brings us to this point.

When the chairman of the Appropriations Committee earlier mentioned some 20 times that this Congress has deviated from an open rule on appropriations, it was unclear to me whether the chairman actually included unanimous consent agreements, which have been a fairly consistent component of the open rule process. Not a structured rule, not something that was rigid and devised in the beginning, at least not something that was unnegotiated, as this was, but a unanimous consent agreement that allows any Member to object. That isn't the case that we are dealing with here.

So I am trying to track the logic of what amendments were approved and which ones weren't approved. And I will tell you there is no logic in this minority party except in the idea that we have to go up in that little room up there in the Rules Committee and sit down for 3 hours and wait for an opportunity to ask that stacked Rules Committee for an opportunity just to offer an amendment here on the floor of the House of Representatives. There's no way you can go home and say to your constituents, I'd have liked to have done a good job representing you, but I didn't have an opportunity even to offer an amendment, let alone perfect something and get a legitimate debate or a vote.

So I analyzed these 124 remaining amendments after this fiasco last night that lasted into this morning and came up with some of these statistical data, which is interesting, I think, to this Congress: Out of these 124 amendments, 20 of 23 were about money approved by the Rules Committee. So that would tell me that Democrats don't mind voting for more spending. That's a clear conclusion that one can draw because of the 94 amendments that were rejected by the Rules Committee, none of

them can be characterized as spending amendments exclusively; they're policy amendments.

And in that includes amendments that would have blocked Federal funding for ACORN, an organization that has all the appearances of a criminal enterprise, that has admitted to producing over 400,000 fraudulent voter registrations, that has been involved in intimidating lenders, and now seem to be under the employment of the White House for the United States Census. And we can't get a debate on this and can't get a vote on an amendment like that? And we can't have a discussion in this Congress about the intelligence impasse that has been created because of the allegations against the CIA made by the Speaker of the House? And we are supposed to operate a government with these huge policy issues that hang in front of us and do a specious debate on spending in which everything that's offered by the minority party that reduces the spending is going to be voted down by the majority party. Because why? They said let's have a debate on that. They're eager to vote for more spending. And this bill, which increases funding under these titles from last year by \$12 billion, an expansive growth of government, and now shutting down the debate here in the House of Representatives.

If we move on from this appropriations process without a rule that allows for debate, and we're going to accept the argument that comes from the chairman of the Appropriations Committee that this has happened before, I can guarantee you, Mr. Chairman, this is going to happen again and again and again and no Member can ask again. If they don't stand up and defend themselves now, it will be less reason the next time and less reason the next time, and we're settled into a mode where the committee that would rule will be the one, I think, which is directed from above, with no cameras in the room, seldom even a reporter in the room, but Members of Congress sitting there in little chairs waiting for their chance to say, Oh, please, could I just offer my amendment here on the floor of the House of Representatives?

You can't run a government that way. It's not consistent with our constitutional Republic. It would cause indigestion with all of our Founding Fathers to see what's going on here in this Congress today. It's got to stop, and we have got to get back to a regular order that allows for open rules and legitimate debate. And we can face this debate, win or lose. Let's do it the right way, Mr. Chairman.

I again thank the gentleman from Virginia for yielding.

The CHAIR. The Clerk will read.

The Clerk read, as follows:

#### BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force

account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$96,744,000, to remain available until expended, of which not less than \$71,358,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

#### FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

#### LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

#### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

#### OFFICE ON VIOLENCE AGAINST WOMEN

#### VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and for related victims services, \$400,000,000, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed 3 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: *Provided further*, That of the amount provided

(1) \$200,000,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which—

(A) \$18,000,000 shall be for transitional housing assistance grants for victims of do-

mestic violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act; and

(B) \$3,000,000 shall be for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women;

(2) \$60,000,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(3) \$13,000,000 for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(4) \$41,000,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(5) \$9,500,000 for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(6) \$37,000,000 for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(7) \$4,250,000 for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(8) \$14,000,000 for the safe havens for children program, as authorized by section 1301 of the 2000 Act;

(9) \$6,750,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(10) \$3,000,000 for an engaging men and youth in prevention program, as authorized by section 41305 of the 1994 Act;

(11) \$1,000,000 for tracking of violence against Indian women, as authorized by section 905 of the 2005 Act;

(12) \$3,500,000 for services to advocate and respond to youth, as authorized by section 41201 of the 1994 Act;

(13) \$3,000,000 for grants to assist children and youth exposed to violence, as authorized by section 41303 of the 1994 Act;

(14) \$3,000,000 for the court training and improvements program, as authorized by section 41002 of the 1994 Act;

(15) \$1,000,000 for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act.

#### OFFICE OF JUSTICE PROGRAMS

#### SALARIES AND EXPENSES

For necessary expenses, not elsewhere specified in this title, for management and administration of programs within the Office on Violence Against Women, the Office of Justice Programs and the Community Oriented Policing Services Office, \$192,388,000, of which not to exceed \$15,708,000 shall be available for transfer to the Office on Violence Against Women; of which not to exceed \$139,218,000 shall be available for the Office of Justice Programs; and of which not to exceed \$37,462,000 shall be available for transfer to the Community Oriented Policing Services Office: *Provided*, That, notwithstanding section 109 of title I of Public Law 90-351, an additional amount, not to exceed \$21,000,000 shall be available for authorized activities of the Office of Audit, Assessment, and Management: *Provided further*, That the total amount available for management and administration of such programs shall not exceed \$213,388,000.

#### AMENDMENT NO. 31 OFFERED BY MR. NADLER OF NEW YORK

Mr. NADLER of New York. Mr. Chairman, I have an amendment at the desk made in order under the rule and preprinted in the CONGRESSIONAL RECORD on June 15.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 31 offered by Mr. NADLER of New York:

Page 45, line 1, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 45, line 4, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 45, line 13, after the dollar amount, insert "(reduced by \$5,000,000)".

Page 56, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

Page 58, line 19, after the dollar amount, insert "(increased by \$5,000,000)".

Page 58, line 21, after the dollar amount, insert "(increased by \$5,000,000)".

The CHAIR. Pursuant to House Resolution 552, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER of New York. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of my amendment, which I offer with Representatives MIKE MICHAUD and CAROLYN MALONEY. The amendment increases by \$5 million the funding for the Debbie Smith DNA Backlog Grant Program and offsets that by a corresponding decrease in general operating expenses in the Office of Justice.

Unlike eyewitness testimony and other circumstantial evidence, DNA evidence provides scientific accuracy and assurance. It has resulted in the conviction of countless perpetrators of violent crimes and has freed hundreds of innocent people.

It is incredible that we can identify the guilty and exclude the innocent with certainty with just a little biological evidence and a scientific test. The problem, of course, is that you actually have to collect that biological evidence, do that test, and record that information. If you do not, the power of DNA evidence is unrealized.

Unfortunately, there is a backlog in the hundreds of thousands in the analysis of DNA evidence. This backlog includes untested samples from convicted offenders and from crime scenes, including rape kits.

When such a powerful tool as DNA evidence is unused, we must act. For years I have worked to reduce the DNA backlog and helped pass legislation to do just that. The Debbie Smith DNA Backlog Grant Program provides grants to States to collect DNA samples from offenders and crime scenes, including rape kits, to analyze those samples and to expand DNA laboratory capacity. That money is making a difference, and we must ensure that it continues to be available.

Congress provided \$151 million to the Debbie Smith DNA Backlog Grant Program for fiscal year 2009 and reauthorized the program at this level through fiscal year 2014. Unfortunately, this bill cuts this by \$5 million for the coming fiscal year to \$146 million, and my amendment would restore it to \$151.

While I understand the budgetary constraints faced by the Appropriations Committee, this program must

not be reduced when these grants mean protecting the lives of millions of innocent Americans and reducing the number of sexual assaults and rapes.

I want to thank my amendment co-sponsors, Representatives MICHAUD and MALONEY, for their help. I urge all Members to support the amendment.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. NADLER of New York. I yield to the gentleman.

Mr. MOLLOHAN. The gentleman is correct. This is an important program, and we are inclined to accept his amendment.

Mr. NADLER of New York. I thank the gentleman.

Mr. Chairman, I reserve the balance of my time.

Mr. WOLF. I rise to claim the time in opposition to the amendment though I'm not opposed.

The CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. WOLF. Mr. Chair, I reserve the balance of my time.

Mr. NADLER of New York. Mr. Chairman, I now yield 1 minute to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I thank the gentleman for yielding 1 minute.

The Debbie Smith Act provides State and local agencies funding to combat serious crimes such as rape, sexual assault, and murder. I would like to thank Congressman NADLER and Congresswoman MALONEY for their leadership on this very important issue. Our amendment will fully fund this valuable program.

Each untested DNA sample represents a missed chance to keep these violent offenders off our streets. In one case in California, a repeat sex offender raped a woman. Before the test could be processed by the State crime lab, the perpetrator attacked two additional women and a child as well. In Maine we have a backlog of over 4,000 samples that need to be analyzed. Without additional funding many of our cold cases will go unsolved and this backlog will continue.

I urge my colleagues to support this very important amendment.

Mr. WOLF. Mr. Chairman, I reserve the balance of my time.

Mr. NADLER of New York. Mr. Chairman, I now yield 1 minute to the distinguished gentleman from New York (Mrs. MALONEY).

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Mrs. MALONEY. I rise in strong support of the Nadler-Michaud-Maloney amendment that would fully fund the Debbie Smith DNA backlog grant program. And I applaud all like-minded men who are standing up in leadership roles to fund what many have called the most important anti-rape violence against women prevention bill ever to pass this Congress, the Debbie Smith Act. I particularly applaud my colleague from New York who has been a

gladiator in support of women's issues, a strong defender and has worked hard to help us in many ways.

I applaud Congressman MOLLOHAN for providing \$146 million earlier this year for the Debbie Smith grant program. I must say that this bill, which I authored with Mark Green on the other side of the aisle, was truly a bipartisan mission, and it has saved lives. Every single unprocessed rape kit represents a victim who has been denied justice and a predator who remains at large, free to attack other women. The program's funding has been increased by \$5 million for fiscal year 2010.

It has been an honor working with my good friends to deliver full funding for this vital anti-crime, protection-of-women, anti-rape legislation. I urge my colleagues to stand with us and support this important amendment. I applaud my like-minded male leaders who have stood so strong to protect and defend women from violence and one of the worst crimes of all—rape.

Mr. WOLF. I yield back the balance of my time.

Mr. NADLER of New York. I yield myself the balance of my time.

Mr. Chairman, in closing I want to thank Chairman MOLLOHAN for accepting the amendment, I want to thank the gentleman from Virginia for not opposing it, and I want to encourage all Members to support this important increase in funding so we can reduce the DNA testing backlog, we can put guilty people behind bars, we can free innocent people, we can prevent future rapes and sexual assaults, and make our country safer.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

#### JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 "the 1968 Act"; the Juvenile Justice and Delinquency Prevention Act of 1974 "the 1974 Act"; the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002

(Public Law 107-296), which may include research and development; and other programs (including the Statewide Automated Victim Notification Program); \$226,000,000, to remain available until expended, of which:

(1) \$60,000,000 is for criminal justice statistics programs, and other activities, as authorized by title I of part C of the 1968 Act, of which \$41,000,000 is for the National Crime Victimization Survey; and

(2) \$48,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act;

(3) 12,000,000 is for the Statewide Victim Notification System of the Bureau of Justice Assistance;

(4) \$45,000,000 is for the Regional Information Sharing System, as authorized by part M of title I of the 1968 Act; and

(5) \$61,000,000 is for the Missing Children's Program, as authorized by sections 404(b) and 405(a) of the 1974 Act.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); and other programs; \$1,312,500,000, to remain available until expended as follows:

(1) \$529,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act, (except that section 1001(c), and the special rules for Puerto Rico under section 505(g), of the 1968 Act, as amended, shall not apply for purposes of this Act), of which \$5,000,000 is for use by the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement, \$2,000,000 is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, and \$10,000,000 is for activities related to comprehensive criminal justice reform and recidivism reduction efforts by States;

(2) \$300,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5));

(3) \$30,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments for costs associated with the prosecution of criminal cases declined by local offices of the United States Attorneys;

(4) \$124,000,000 for discretionary grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation) which shall be used for the projects, and in the amounts specified in the table titled "Congressional-designated Items" in the report of the

Committee on Appropriations of the House of Representatives to accompany this Act ;

(5) \$40,000,000 for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);

(6) \$2,000,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);

(7) \$10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386 and for programs authorized under Public Law 109-164;

(8) \$45,000,000 for Drug Courts, as authorized by section 1001(25)(A) of title I of the 1968 Act;

(9) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(10) \$15,000,000 for prison rape prevention and prosecution and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79);

(11) \$30,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(12) \$5,500,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(13) \$12,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(14) \$47,000,000 for assistance to Indian tribes, of which—

(A) \$10,000,000 shall be available for grants under section 20109 of subtitle A of title II of the 1994 Act;

(B) \$25,000,000 shall be available for the Tribal Courts Initiative; and

(C) \$12,000,000 shall be available for tribal alcohol and substance abuse reduction assistance grants;

(15) \$20,000,000 for economic, high technology and Internet crime prevention grants, as authorized by Section 401 of Public Law 110-403;

(16) \$15,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(17) \$2,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(18) \$3,000,000 for grants to improve the stalking and domestic violence database, as authorized by section 40602 of the 1994 Act;

(19) \$1,000,000 for analysis and research on violence against Indian women, as authorized by section 904 of the 2005 Act;

(20) \$3,500,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(21) \$1,000,000 for grants for televised testimony, as authorized by part N of title I of the 1968 Act;

(22) \$15,000,000 for programs to reduce gun crime and gang violence;

(23) \$25,000,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: *Provided*, That \$1,500,000 is for related research, testing, and evaluation programs;

(24) \$20,000,000 for grants to assist State and tribal governments as authorized by the NICS improvement Amendment Act of 2007 (Public Law 110-180); and

(25) \$10,000,000 for the National Criminal History Improvement program for grants to upgrade criminal records:

*Provided*, That if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

#### WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Office of Weed and Seed Strategies, \$15,000,000, to remain available until expended, as authorized by section 103 of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

#### JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"), the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162), the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.), the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248); the PROTECT Our Children Act of 2008 (Public Law 110-401), and other juvenile justice programs, \$385,000,000, to remain available until expended as follows:

(1) \$75,000,000 for programs authorized by section 221 of the 1974 Act, and for training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(2) \$68,000,000 for grants and projects, as authorized by sections 261 and 262 of the 1974 Act which shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act;

(3) \$80,000,000 for youth mentoring grants;

(4) \$62,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) \$25,000,000 shall be for the Tribal Youth Program;

(B) \$10,000,000 shall be for a gang education initiative; and

(C) \$25,000,000 shall be for grants of \$360,000 to each State and \$4,840,000 shall be available for discretionary grants, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(5) \$20,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(6) \$55,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act and Guam shall be considered a State;

(7) \$18,000,000 for Community-based violence prevention initiatives; and—

(8) \$7,000,000 for the Safe Start Program, as authorized by the 1974 Act:

*Provided*, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of each amount may be used for training and technical assistance: *Provided*

*further*, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act.

#### PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs, which amounts shall be paid to the "Salaries and Expenses" account), to remain available until expended; and \$5,000,000 for payments authorized by section 1201(b) of such Act to remain available until expended; and \$4,100,000 for educational assistance, as authorized by section 1218 of such Act to remain available until expended.

#### COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296), which may include research and development; and the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177); the Second Chance Act of 2007 (Public Law 110-199); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) (the "Adam Walsh Act"); and the Justice for All Act of 2004 (Public Law 108-405), \$802,000,000, to remain available until expended: *Provided*, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act. Of the amount provided (which shall be by transfer, for programs administered by the Office of Justice Programs)—

(1) \$32,000,000 for grants to entities described in section 1701 of title I of the 1968 Act, to address public safety and methamphetamine manufacturing, sale, and use in hot spots, and for other anti-methamphetamine-related activities: *Provided*, That within the amounts appropriated, \$17,900,000 shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated items" in the report of Committee on Appropriations of the House of Representatives to accompany this Act: *Provided further* That within the amounts appropriated, \$10,000,000 shall be transferred to the Drug Enforcement Administration upon enactment of this Act: *Provided further*, That within the amounts appropriated, \$5,000,000 is for anti-methamphetamine-related activities in Indian Country;

(2) \$123,000,000 is for a law enforcement technologies and interoperable communications program, and related law enforcement and public safety equipment which shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act;

(3) \$100,000,000 for offender re-entry programs, as authorized by the Second Chance Act of 2007 (Public Law 110-199), of which \$37,000,000 is for grants for adult and juvenile offender state and local re-entry demonstration projects, \$15,000,000 is for grants for mentoring and transitional services, \$10,000,000 is for re-entry courts, \$7,500,000 is for family-based substance abuse treatment, \$2,500,000 is for evaluation and improvement of education at prisons, jails, and juvenile facilities, \$5,000,000 is for technology careers training demonstration grants, \$13,000,000 is for offender reentry substance abuse and criminal justice collaboration, and \$10,000,000 is for prisoner reentry research;

(4) \$151,000,000 for DNA related and forensic programs and activities as follows:

(A) \$146,000,000 for a DNA analysis and capacity enhancement program and for other local, state, and Federal forensic activities including the purposes of section 2 of the DNA Analysis Backlog Elimination Act of 2000 (the Debbie Smith DNA Backlog Grant Program); and

(B) \$5,000,000 for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412);

(5) \$40,000,000 for improving tribal law enforcement, including equipment and training;

(6) \$14,000,000 for Community Policing Development activities;

(7) \$28,000,000 for a national grant program the purpose of which is to assist State and local law enforcement to locate, arrest and prosecute child sexual predators and exploiters, and to enforce sex offender registration laws described in section 1701(b) of the 1968 Act, of which:

(A) \$15,000,000 is for sex offender management assistance as authorized by the Adam Walsh Act and the Violent Crime Control Act of 1994 (Public Law 103-322); and

(B) \$1,000,000 is for the National Sex Offender Public Registry;

(8) \$16,000,000 for expenses authorized by part AA of the 1968 Act (Secure our Schools); and

(9) \$298,000,000 for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (g) and (i) of such section and notwithstanding 42 U.S.C. 3796dd-3(c).

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$75,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2011,

the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107-296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 207. Notwithstanding any other provision of law, Public Law 102-395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 208. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 209. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 210. None of the funds made available under this title shall be obligated or expended for Sentinel, or for any other major new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 211. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and accompanying statement, and to any use of debilitated balances of funds provided under this title in previous years.

SEC. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 213. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of 28 U.S.C. 545.

SEC. 214. None of the funds appropriated in this or any other Act shall be obligated for the initiation of a future phase of the Federal Bureau of Investigation's Sentinel program until the Attorney General certifies to the Committees on Appropriations that existing phases currently under contract for development or fielding have completed a majority of the work for that phase under the performance measurement baseline validated by the integrated baseline review con-

ducted in 2008: *Provided*, That this restriction does not apply to planning and design activities for future phases: *Provided further*, That the Bureau will notify the Committees on Appropriations of any significant changes to the baseline.

SEC. 215. In addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this Act under the headings for "Justice Assistance", "State and Local Law Enforcement Assistance", "Weed and Seed", "Juvenile Justice Programs", and "Community Oriented Policing Services"—

(a) Up to three percent of funds made available to the office of Justice Programs for grants or reimbursement may be used to provide training and technical assistance; and

(b) Up to one percent of funds made available to such Office for formula grants under such headings may be used for research or statistical purposes by the National Institute of Justice or the Bureau of Justice Statistics, pursuant to, respectively, sections 201 and 202, and sections 301 and 302 of title I of Public Law 90-351.

SEC. 216. The Attorney General may, upon request by a grantee, waive the requirements of paragraph (1) of section 2976(g) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)) with respect to funds appropriated in this or any other Act making appropriations for fiscal year 2009 and 2010 for Adult and Juvenile Offender State and Local Reentry Demonstration Projects authorized under part FF of such Act of 1968.

SEC. 217. Section 5759 of title 5, United States Code, is amended by striking subsection (e).

SEC. 218. (a) Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

#### **"§5761. Foreign language proficiency pay awards for the Federal Bureau of Investigation"**

"The Director of the Federal Bureau of Investigation may, under regulations prescribed by the Director, pay a cash award of up to 10 percent of basic pay to any Bureau employee who maintains proficiency in a language or languages critical to the mission or who uses one or more foreign languages in the performance of official duties."

(b) The analysis for chapter 57 of title 5, United States Code, is amended by adding at the end the following:

"§5761. Foreign language proficiency pay awards for the Federal Bureau of Investigation."

This title may be cited as the "Department of Justice Appropriations Act, 2010".

#### TITLE III

#### SCIENCE

##### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601-6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed \$2,800 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$7,154,000.

##### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

##### SCIENCE

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance; space

flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$4,496,100,000, of which not to exceed \$450,000,000 shall remain available until September 30, 2011.

#### AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$501,000,000, of which not to exceed \$50,000,000 shall remain available until September 30, 2011.

#### EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance; space flight, spacecraft control, and communications activities; program management, personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,293,200,000, of which not to exceed \$330,000,000 shall remain available until September 30, 2011.

#### SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities including operations, production, and services; maintenance; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$6,097,300,000, of which not to exceed \$610,000,000 shall remain available until September 30, 2011: *Provided*, That of the amounts provided under this heading, \$3,157,100,000 shall be for Space Shuttle operations, production, research, development, and support, \$2,267,000,000 shall be for International Space Station operations, production, research, development, and support, and \$496,500,000 shall be for Space and Flight Support.

#### EDUCATION

For necessary expenses, not otherwise provided for, in carrying out aerospace and aeronautical education research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$175,000,000, to remain available until September 30, 2011.

#### CROSS AGENCY SUPPORT

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$70,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,164,000,000: *Provided*, That \$2,182,900,000 shall be available for center management and operations: *Provided further*, That notwithstanding 42 U.S.C. 2459j, proceeds from enhanced use leases that may be made available for obligation for fiscal year 2010 shall not exceed \$0: *Provided further*, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to 42 U.S.C. 2459j: *Provided further*, That not less than \$50,000,000 shall be available for independent verification and validation activities: *Provided further*, That within the amounts appropriated \$15,700,000 shall be used for the projects, and in the amounts, specified in the table titled "Congressionally-designated Items" in the report of the Committee on Appropriations of the House of Representatives to accompany this Act.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND REMEDIATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$441,700,000, to remain available until September 30, 2015: *Provided*, That within the funds provided, \$12,600,000 shall be available to support science research and development activities; \$69,900,000 shall be available to support exploration research and development activities; \$26,800,000 shall be available to support space operations research and development activities; and \$332,400,000 shall be available for cross agency support activities.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$35,000,000.

#### ADMINISTRATIVE PROVISIONS

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

Notwithstanding any other provision of law, no funds shall be used to implement by Reduction in Force or other involuntary separations (except for cause) by the National Aeronautics and Space Administration prior to September 30, 2010.

The unexpired balances of the Science, Aeronautics, and Exploration account, for activities for which funds are provided under this Act, may be transferred to the new accounts established in this Act that provide such activity. Balances so transferred shall be merged with the funds in the newly established accounts, but shall be available under the same terms, conditions and period of time as previously appropriated.

#### NATIONAL SCIENCE FOUNDATION

##### RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880-1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,642,110,000, to remain available until September 30, 2011, of which not to exceed \$570,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That from funds specified in the fiscal year 2010 budget request for icebreaking services, up to \$54,000,000 shall be available for the procurement of polar icebreaking services: *Provided further*, That the National Science Foundation shall only reimburse the Coast Guard for such sums as are agreed to according to the existing memorandum of agreement: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That not less than \$147,120,000 shall be available for activities authorized by section 7002(b)(2)(A)(iv) of Public Law 110-69.

##### MAJOR RESEARCH EQUIPMENT AND FACILITIES

##### CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including authorized travel, \$114,290,000, to remain available until expended: *Provided*, That none of the funds may be used to reimburse the Judgment fund.

##### EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, \$862,900,000, to remain available until September 30, 2011: *Provided further*, That not less than \$65,000,000 shall be available until expended for activities authorized by section 7030 of Public Law 110-69.

##### AMENDMENT NO. 35 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 75, line 7, insert "": *Provided further*, That not less than \$32,000,000 shall be available until expended for the Historically



Black Colleges and Universities Undergraduate Program" before the period.

The CHAIR. Pursuant to House Resolution 552, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Chairman, the amendment is to the section of the bill pertaining to the National Science Foundation. Education activities at the National Science Foundation are appropriated at more than \$862 million. My amendment simply states that of the amounts appropriated for National Science Foundation education activities, \$32 million shall be used for the Historically Black Colleges and Universities undergraduate program. The Congressional Budget Office has advised that the amendment will not affect the overall spending in this bill. The funding amount is equal to a modest 1.6 percent increase from last year's funding. It has been recommended by the administration and by the National Science Foundation.

I, along with my colleagues on the Congressional Black Caucus Education Task Force, believe that educational opportunities are a key for our national prosperity. "Give a man a fish, you feed him for today. Teach a man to fish, and you have fed him for a lifetime."

Support for the Historically Black Colleges and Universities undergraduate program is an investment in our human capital. This competitive grant program awards funds for curriculum enhancement, faculty development, undergraduate research, and institutional collaborations. Funds are used to encourage undergraduate students to pursue careers in science, technology, engineering and math—also called STEM fields.

Grants may also be used for initiatives to provide educational opportunities to develop well-educated math and science teachers. The funding level specified in my amendment will provide for an estimated two to four new teacher development projects. Highly qualified teachers have a firm grasp on the subject matter. They are able to capture their students' imaginations and get them excited about science. They demonstrate to the student that creative inquiry and rigorous investigation are the true heart of science. They stimulate, invigorate and inform their students of the value and accessibility of a career in STEM.

There is a shortage of math and science teacher-experts, especially in high-need school districts. Data by Dr. Michael Marder at the University of Texas has shown that African American students fall behind in math test performance, beginning in the fifth grade. Experts have testified before the Commerce-Science-Justice Subcommittee on this issue, and I am pleased to see report language in sup-

port of the greater outreach to students at the primary and middle school levels. I'm also pleased to see experienced-based science funding get more attention and support. Young, smart minority students represent a huge untapped resource for our domestic STEM workforce. In the United States, 39 percent of the people under age 18 are persons of color, and this percentage will continue to increase. There are great disparities that exist. Our top-tier scientific workforce suffers from a great lack of diversity.

For example, of all the employed Ph.D. engineers in this country, nearly 63 percent of them are Anglo, almost 3 percent are Hispanic, a pitiful 2 percent are African American, and less than 1 percent are Native American. These alarming statistics indicate that the current efforts are not enough. African American students drop off at every juncture in the STEM career pipeline, and we must do more to mitigate this loss.

The National Academy of Sciences is working to produce a report this fall which will provide policy recommendations on how to promote greater diversity in the STEM workforce. This report will discuss the barriers that minorities face in the STEM career pipeline, and it will provide suggestions on how to repair the leaks in that pipeline. The report is of great interest to me and to my 65 colleagues on the bipartisan House Diversity and Innovative Caucus.

We have sent letters to the Budget Committee, the Appropriations Committee and to the Office of Science and Technology Policy this year to try to get more attention on the issue on diversity. We are gaining momentum. We cannot ignore the fact that great disparities in STEM education and career achievement still persist.

The good news is that Historically Black Colleges and Universities are powerhouses when it comes to producing talented, well-educated science and math Ph.D. graduates. In 2006, 866 doctoral degrees in science and engineering were awarded to black students. One-third of those Ph.D.s were awarded at a Historically Black College or University.

□ 1630

As you can see, these institutions provide a relatively large portion of our terminal-degreed, minority STEM workforce. This educational model shall be rewarded with strong and sustained support.

About a year ago, I started the House Historically Black Colleges and Universities Caucus because I believe that these institutions deserve more attention for the good work that they do, and I'm not a graduate of any of them. That is why I am proud to offer this amendment.

I offer my voice on behalf of the 12.6 million black children in the United States. May each and every one of them experience educational excellence

and the real promise of a bright future. An investment in STEM education is an investment in our future competitors. I thank the gentleman.

Mr. MOLLOHAN. Will the gentlelady yield?

Ms. EDDIE BERNICE JOHNSON of Texas. I yield.

Mr. MOLLOHAN. I thank the gentlelady for her leadership in this area with this amendment, and Mr. Chairman, we are inclined to accept the amendment.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

#### ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 19 by Ms. BORDALLO of Guam.

Amendment No. 3 by Ms. MOORE of Wisconsin.

Amendment No. 41 by Mr. BOSWELL of Iowa.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### AMENDMENT NO. 19 OFFERED BY MS. BORDALLO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Guam (Ms. BORDALLO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 411, noes 14, not voting 14, as follows:

[Roll No. 353]

#### AYES—411

Abercrombie	Becerra	Bono Mack
Ackerman	Berkley	Boozman
Aderholt	Berman	Bordallo
Akin	Berry	Boren
Altmire	Biggert	Boswell
Andrews	Bilbray	Boucher
Austria	Bilirakis	Boustany
Baca	Bishop (GA)	Boyd
Bachus	Bishop (UT)	Brady (PA)
Baird	Blackburn	Brady (TX)
Baldwin	Blumenauer	Braley (IA)
Barrett (SC)	Blunt	Bright
Barrow	Bocchieri	Brown (GA)
Bartlett	Boehner	Brown (SC)
Barton (TX)	Bonner	Brown, Corrine

Brown-Waite, Ginny	Grijalva	McGovern	Schrader	Speier	Velázquez	Bordallo	Foster	Lummis
Buchanan	Guthrie	McHenry	Schwartz	Spratt	Visclosky	Boren	Fox	Lungren, Daniel E.
Burgess	Gutierrez	McHugh	Scott (GA)	Stark	Walden	Boswell	Frank (MA)	Lynch
Burton (IN)	Hall (NY)	McIntyre	Scott (VA)	Stearns	Wamp	Boucher	Franks (AZ)	Mack
Butterfield	Hall (TX)	McKeon	Sensenbrenner	Stupak	Wasserman	Boustany	Frelinghuysen	Maffei
Buyer	Halvorson	McMahon	Serrano	Sutton	Schultz	Boyd	Fudge	Maloney
Calvert	Hare	McMorris	Sessions	Tanner	Waters	Brady (PA)	Gallegly	Manzullo
Camp	Harper	Rodgers	Sestak	Tauscher	Watson	Brady (TX)	Garrett (NJ)	Marchant
Campbell	Hastings (FL)	McNerney	Shadegg	Taylor	Watt	Braley (IA)	Gerlach	Giffords
Cantor	Hastings (WA)	Meek (FL)	Shea-Porter	Teague	Waxman	Bright	Gingrey (GA)	Markey (CO)
Cao	Heinrich	Meeks (NY)	Sherman	Terry	Weiner	Broun (GA)	Gohmert	Markey (MA)
Capito	Heller	Melancon	Shinkus	Thompson (CA)	Welch	Brown (SC)	Gonzalez	Massa
Capps	Hensarling	Mica	Shuler	Thompson (MS)	Westmoreland	Brown, Corrine	Goodlatte	Matheson
Cardoza	Herger	Michaud	Shuster	Thompson (PA)	Wexler	Brown-Waite, Ginny	Gordon (TN)	Matsui
Carnahan	Herseth Sandlin	Miller (FL)	Simpson	Thornberry	Whitfield	Buchanan	Granger	McCarthy (CA)
Carson (IN)	Higgins	Miller (MI)	Sires	Tiahrt	Wilson (OH)	Burgess	Graves	McCarthy (NY)
Carter	Hill	Miller (NC)	Skelton	Tiberi	Wilson (SC)	Burton (IN)	Grayson	McCaul
Cassidy	Himes	Miller, Gary	Slaughter	Tierney	Wittman	Butterfield	Green, Al	McClintock
Castle	Hinche	Miller, George	Smith (NE)	Titus	Wolf	Buyer	Green, Gene	McCollum
Castor (FL)	Hinojosa	Minnick	Smith (NJ)	Tonko	Woolsey	Calvert	Griffith	McCotter
Chaffetz	Hirono	Mitchell	Smith (TX)	Towns	Wu	Camp	Grijalva	McDermott
Chandler	Hoekstra	Mollohan	Smith (WA)	Tsongas	Yarmuth	Campbell	Guthrie	McGovern
Childers	Holden	Moore (KS)	Snyder	Turner	Young (AK)	Cantor	Gutierrez	McHenry
Christensen	Holt	Moore (WI)	Souder	Upton	Young (FL)	Cao	Hall (NY)	McHugh
Clarke	Honda	Moran (KS)	Space	Van Hollen		Capito	Hall (TX)	McIntyre
Clay	Hoyer	Moran (VA)				Capps	Halvorson	McKeon
Cleaver	Hunter	Murphy (CT)				Capuano	Hare	McMahon
Clyburn	Inglis	Murphy (NY)	Arcuri	Foster	Perlmutter	Cardoza	Harper	McMorris
Coble	Inslee	Murphy, Patrick	Bean	Frank (MA)	Price (GA)	Carnahan	Hastings (FL)	Rodgers
Coffman (CO)	Israel	Murphy, Tim	Bishop (NY)	Hodes	Schauer	Carney	Hastings (WA)	McNerney
Cohen	Issa	Murtha	Carney	Jenkins	Walz	Carson (IN)	Heinrich	Meek (FL)
Cole	Jackson (IL)	Myrick	Connolly (VA)	Markley (CO)		Carter	Heller	Meeks (NY)
Conaway	Jackson-Lee (TX)	Nadler (NY)				Cassidy	Hensarling	Melancon
Conyers	Johnson (GA)	Neal (MA)	Adler (NJ)	Davis (TN)	Larson (CT)	Castle	Herger	Mica
Cooper	Johnson (IL)	Neugebauer	Alexander	Edwards (TX)	Lewis (GA)	Castor (FL)	Herseth Sandlin	Michaud
Costa	Johnson, E. B.	Norton	Bachmann	Giffords	Sánchez, Linda T.	Chaffetz	Higgins	Miller (FL)
Costello	Johnson, Sam	Nunes	Capuano	Harman		Chandler	Hill	Miller (MI)
Courtney	Jones	Nye	Cummings	Kennedy	Sullivan	Childers	Himes	Miller (NC)
Crenshaw	Jordan (OH)	Oberstar				Christensen	Hinche	Miller, Gary
Crowley	Kagen	Obey				Clarke	Hinojosa	Miller, George
Cuellar	Kanjorski	Olson				Clay	Hirono	Minnick
Culberson	Kaptur	Olver				Cleaver	Hodes	Mitchell
Dahlkemper	Kildee	Ortiz				Clyburn	Hoekstra	Mollohan
Davis (AL)	Kilpatrick (MI)	Pallone				Coble	Holden	Moore (KS)
Davis (CA)	Kilroy	Pascarell				Coffman (CO)	Holt	Moore (WI)
Davis (IL)	Kind	Pastor (AZ)				Cohen	Hoyer	Moran (KS)
Davis (KY)	King (IA)	Paul				Conaway	Hunter	Moran (VA)
Deal (GA)	King (NY)	Paulsen				Connolly (VA)	Inglis	Murphy (CT)
DeFazio	Kingston	Payne				Conyers	Inslee	Murphy (NY)
DeGette	Kirk	Pence				Cooper	Israel	Murphy, Patrick
Delahunt	Kirkpatrick (AZ)	Perriello				Costa	Issa	Murphy, Tim
DeLauro	Kissell	Peters				Costello	Jackson (IL)	Murtha
Dent	Klein (FL)	Peterson				Courtney	Jackson-Lee	Myrick
Diaz-Balart, L.	Kline (MN)	Petri				Crenshaw	(TX)	Nadler (NY)
Diaz-Balart, M.	Kosmas	Pierluisi				Crowley	Jenkins	Napolitano
Dicks	Kratovil	Pingree (ME)				Cuellar	Johnson (GA)	Neal (MA)
Dingell	Kucinich	Pitts				Culberson	Johnson (IL)	Neugebauer
Doggett	Lamborn	Platts				Cummings	Johnson, E. B.	Norton
Donnelly (IN)	Lance	Poe (TX)				Dahlkemper	Johnson, Sam	Nunes
Doyle	Langevin	Polis (CO)				Davis (AL)	Jones	Nye
Dreier	Larsen (WA)	Pomeroy				Davis (CA)	Jordan (OH)	Oberstar
Driehaus	Latham	Posey				Davis (IL)	Kagen	Obey
Duncan	LaTourette	Price (NC)				Davis (KY)	Kanjorski	Olson
Edwards (MD)	Latta	Putnam				Davis (TN)	Kaptur	Olver
Ehlers	Lee (CA)	Quigley				Deal (GA)	Kildee	Ortiz
Ellison	Lee (NY)	Radanovich				DeFazio	Kilpatrick (MI)	Pallone
Ellsworth	Levin	Rahall				DeGette	Kilroy	Pascarell
Emerson	Lewis (CA)	Rangel				Delahunt	Kind	Pastor (AZ)
Engel	Linder	Rehberg				DeLauro	King (NY)	Paul
Eshoo	Lipinski	Reichert				Dent	Kingston	Paulsen
Etheridge	LoBiondo	Reyes				Diaz-Balart, L.	Kirk	Payne
Faleomavaega	Loebach	Richardson				Diaz-Balart, M.	Kirkpatrick (AZ)	Pence
Fallin	Lofgren, Zoe	Rodriguez				Dicks	Kissell	Perlmutter
Farr	Lowey	Roe (TN)				Dingell	Klein (FL)	Perriello
Fattah	Lucas	Rogers (AL)				Doggett	Kline (MN)	Peters
Filner	Luetkemeyer	Rogers (KY)				Donnelly (IN)	Kosmas	Peterson
Flake	Luján	Rogers (MI)				Doyle	Kratovil	Petri
Fleming	Lummis	Rohrabacher				Dreier	Kucinich	Pierluisi
Forbes	Lungren, Daniel E.	Rooney				Driehaus	Lamborn	Pingree (ME)
Fortenberry	Lynch	Ros-Lehtinen				Duncan	Lance	Pitts
Fox		Roskam				Edwards (MD)	Langevin	Platts
Franks (AZ)		Ross				Edwards (TX)	Larsen (WA)	Poe (TX)
Frelinghuysen		Rothman (NJ)				Ehlers	Latham	Polis (CO)
Fudge		Roybal-Allard				Ellison	LaTourette	Pomeroy
Gallegly		Royce				Ellsworth	Latta	Posey
Garrett (NJ)		Ruppersberger				Emerson	Lee (CA)	Price (GA)
Gerlach		Rush				Engel	Lee (NY)	Price (NC)
Gingrey (GA)		Ryan (OH)				Eshoo	Levin	Putnam
Gohmert		Ryan (WI)				Etheridge	Lewis (CA)	Quigley
Gonzalez		Sablan				Faleomavaega	Linder	Radanovich
Goodlatte		Salazar				Fallin	Lipinski	Rahall
Gordon (TN)		Sanchez, Loretta				Farr	LoBiondo	Rangel
Granger		Sarbanes				Fattah	Loebach	Rehberg
Graves		Scalise				Filner	Lofgren, Zoe	Reichert
Grayson		Schakowsky				Flake	Lowey	Reyes
Green, Al		Schiff				Fleming	Lucas	Richardson
Green, Gene		Schmidt				Forbes	Luetkemeyer	Rodriguez
Griffith		Schock				Fortenberry	Luján	Roe (TN)

## NOES—14

## NOT VOTING—14

□ 1657

Messrs. FRANK of Massachusetts, WALZ, and Ms. MARKEY of Colorado changed their vote from “aye” to “no.”

Messrs. KING of Iowa, ISRAEL, BARTON of Texas, TIM MURPHY of Pennsylvania, BROUN of Georgia, GARY G. MILLER of California and Ms. GRANGER changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 3 OFFERED BY MS. MOORE OF WISCONSIN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 425, noes 4, not voting 10, as follows:

[Roll No. 354]

AYES—425

Abercrombie	Barrett (SC)	Bishop (GA)
Ackerman	Barrow	Bishop (NY)
Aderholt	Bartlett	Bishop (UT)
Akin	Bean	Blackburn
Altmire	Becerra	Blumenauer
Andrews	Berkley	Blunt
Arcuri	Berman	Bocieri
Austria	Berry	Boehner
Baca	Biggart	Bonner
Bachus	Bilbray	Bono Mack
Baldwin	Bilirakis	Boozman

Bordallo	Foster	Lummis
Boren	Fox	Lungren, Daniel E.
Boswell	Frank (MA)	
Boucher	Franks (AZ)	Lynch
Boustany	Frelinghuysen	Mack
Boyd	Fudge	Maffei
Brady (PA)	Gallegly	Maloney
Brady (TX)	Garrett (NJ)	Manzullo
Braley (IA)	Gerlach	Marchant
Bright	Giffords	Markey (CO)
Broun (GA)	Gingrey (GA)	Markey (MA)
Brown (SC)	Gohmert	Marshall
Brown, Corrine	Gonzalez	Massa
Brown-Waite, Ginny	Goodlatte	Matheson
Buchanan	Gordon (TN)	Matsui
Burgess	Granger	McCarthy (CA)
Burton (IN)	Graves	McCarthy (NY)
Butterfield	Grayson	McCaul
Buyer	Green, Al	McClintock
Calvert	Green, Gene	McCollum
Camp	Griffith	McCotter
Campbell	Grijalva	McDermott
Cantor	Guthrie	McGovern
Cao	Gutierrez	McHenry
Capito	Hall (NY)	McHugh
Capps	Hall (TX)	McIntyre
Capuano	Halvorson	McKeon
Cardoza	Hare	McMahon
Carnahan	Harper	McMorris
Carney	Hastings (FL)	Rodgers
Carson (IN)	Hastings (WA)	McNerney
Carter	Heinrich	Meek (FL)
Cassidy	Heller	Meeks (NY)
Castle	Hensarling	Melancon
Castor (FL)	Herger	Mica
Chaffetz	Herseth Sandlin	Michaud
Chandler	Higgins	Miller (FL)
Childers	Hill	Miller (MI)
Christensen	Himes	Miller (NC)
Clarke	Hinche	Miller, Gary
Clay	Hinojosa	Miller, George
Cleaver	Hirono	Minnick
Clyburn	Hodes	Mitchell
Coble	Hoekstra	Mollohan
Coffman (CO)	Holden	Moore (KS)
Cohen	Holt	Moore (WI)
Conaway	Hoyer	Moran (KS)
Connolly (VA)	Hunter	Moran (VA)
Conyers	Inglis	Murphy (CT)
Cooper	Inslee	Murphy (NY)
Costa	Israel	Murphy, Patrick
Costello	Issa	Murphy, Tim
Courtney	Jackson (IL)	Murtha
Crenshaw	Jackson-Lee	Myrick
Crowley	(TX)	Nadler (NY)
Cuellar	Jenkins	Napolitano
Culberson	Johnson (GA)	Neal (MA)
Cummings	Johnson (IL)	Neugebauer
Dahlkemper	Johnson, E. B.	Norton
Davis (AL)	Johnson, Sam	Nunes
Davis (CA)	Jones	Nye
Davis (IL)	Jordan (OH)	Oberstar
Davis (KY)	Kagen	Obey
Davis (TN)	Kanjorski	Olson
Deal (GA)	Kaptur	Olver
DeFazio	Kildee	Ortiz
DeGette	Kilpatrick (MI)	Pallone
Delahunt	Kilroy	Pascarell
DeLauro	Kind	Pastor (AZ)
Dent	King (NY)	Paul
Diaz-Balart, L.	Kingston	Paulsen
Diaz-Balart, M.	Kirk	Payne
Dicks	Kirkpatrick (AZ)	Pence
Dingell	Kissell	Perlmutter
Doggett	Klein (FL)	Perriello
Donnelly (IN)	Kline (MN)	Peters
Doyle	Kosmas	Peterson
Dreier	Kratovil	Petri
Driehaus	Kucinich	Pierluisi
Duncan	Lamborn	Pingree (ME)
Edwards (MD)	Lance	Pitts
Edwards (TX)	Langevin	Platts
Ehlers	Larsen (WA)	Poe (TX)
Ellison	Latham	Polis (CO)
Ellsworth	LaTourette	Pomeroy
Emerson	Latta	Posey
Engel	Lee (CA)	Price (GA)
Eshoo	Lee (NY)	Price (NC)
Etheridge	Levin	Putnam
Faleomavaega	Lewis (CA)	Quigley
Fallin	Linder	Radanovich
Farr	Lipinski	Rahall
Fattah	LoBiondo	Rangel
Filner	Loebach	Rehberg
Flake	Lofgren, Zoe	Reichert
Fleming	Lowey	Reyes
Forbes	Lucas	Richardson
Fortenberry	Luetkemeyer	Rodriguez
	Luján	Roe (TN)

Rogers (AL)	Shea-Porter	Titus	Boozman	Forbes	Lucas	Rogers (AL)	Shea-Porter	Titus
Rogers (KY)	Sherman	Tonko	Bordallo	Fortenberry	Luetkemeyer	Rogers (KY)	Sherman	Tonko
Rogers (MI)	Shimkus	Towns	Boren	Poster	Lujan	Rogers (MI)	Shimkus	Towns
Rohrabacher	Shuler	Tsongas	Boswell	Poxx	Lummis	Rohrabacher	Shuler	Tsongas
Rooney	Shuster	Turner	Boucher	Frank (MA)	Lungren, Daniel	Rooney	Simpson	Turner
Ros-Lehtinen	Simpson	Upton	Boustany	Franks (AZ)	E.	Ros-Lehtinen	Sires	Upton
Roskam	Sires	Van Hollen	Boyd	Frelinghuysen	Lynch	Roskam	Skelton	Van Hollen
Ross	Skelton	Velázquez	Brady (PA)	Fudge	Mack	Ross	Slaughter	Velázquez
Rothman (NJ)	Slaughter	Visclosky	Brady (TX)	Gallegly	Maffei	Rothman (NJ)	Smith (NE)	Visclosky
Roybal-Allard	Smith (NE)	Walden	Braley (IA)	Garrett (NJ)	Maloney	Roybal-Allard	Smith (NJ)	Walden
Royce	Smith (NJ)	Walz	Bright	Gerlach	Manzullo	Royce	Smith (TX)	Walz
Ruppersberger	Smith (TX)	Wamp	Broun (GA)	Giffords	Marchant	Ruppersberger	Smith (WA)	Wamp
Rush	Smith (WA)	Wasserman	Brown (SC)	Gingrey (GA)	Markey (CO)	Rush	Snyder	Wasserman
Ryan (OH)	Snyder	Schultz	Brown, Corrine	Gohmert	Markey (MA)	Ryan (OH)	Souder	Schultz
Ryan (WI)	Souder	Waters	Brown-Waite,	Gonzalez	Marshall	Ryan (WI)	Space	Waters
Sablan	Space	Watson	Ginny	Goodlatte	Massa	Sablan	Speier	Watson
Salazar	Speier	Watt	Buchanan	Gordon (TN)	Matheson	Salazar	Spratt	Watt
Sanchez, Loretta	Spratt	Waxman	Burgess	Granger	Matsui	Sanchez, Loretta	Stark	Waxman
Sarbanes	Stark	Weiner	Burton (IN)	Graves	McCarthy (CA)	Sarbanes	Stearns	Weiner
Scalise	Stearns	Welch	Butterfield	Grayson	McCarthy (NY)	Scalise	Stupak	Welch
Schakowsky	Stupak	Westmoreland	Buyer	Green, Al	McCaul	Schakowsky	Sutton	Westmoreland
Schauer	Sutton	Wexler	Calvert	Green, Gene	McClintock	Schauer	Tanner	Wexler
Schiff	Tanner	Whitfield	Camp	Griffith	McCollum	Schiff	Tauscher	Whitfield
Schmidt	Tauscher	Wilson (OH)	Campbell	Grijalva	McCotter	Schmidt	Taylor	Wilson (OH)
Schock	Taylor	Wilson (SC)	Cantor	Guthrie	McDermott	Schock	Teague	Wilson (SC)
Schrader	Teague	Wittman	Cao	Gutierrez	McGovern	Schwartz	Terry	Wittman
Schwartz	Terry	Wolf	Capito	Hall (NY)	McHenry	Scott (GA)	Thompson (CA)	Wolf
Scott (GA)	Thompson (CA)	Woolsey	Capps	Hall (TX)	McHugh	Scott (VA)	Thompson (MS)	Woolsey
Scott (VA)	Thompson (MS)	Wu	Capuano	Halvorson	McIntyre	Sensenbrenner	Thompson (PA)	Wu
Sensenbrenner	Thompson (PA)	Yarmuth	Cardoza	Hare	McKeon	Serrano	Thornberry	Yarmuth
Serrano	Thornberry	Young (AK)	Carnahan	Harper	McMahon	Sessions	Tiahrt	Young (FL)
Sessions	Tiahrt	Young (FL)	Carney	Hastings (FL)	McMorris	Sestak	Tiberi	
Sestak	Tiberi		Carson (IN)	Hastings (WA)	Rodgers	Shadegg	Tierney	
Shadegg	Tierney		Carter	Heinrich	McNerney			
			Cassidy	Heller	Meek (FL)			
			Castle	Hensarling	Meeks (NY)			
			Castor (FL)	Herger	Melancon			
			Chaffetz	Hereth Sandlin				
			Chandler	Higgins				
			Childers	Hill				
			Christensen	Himes				
			Clarke	Hinchey				
			Clay	Hinojosa				
			Cleaver	Hirono				
			Clyburn	Hodes				
			Coble	Hoekstra				
			Coffman (CO)	Holden				
			Cohen	Holt				
			Cole	Honda				
			Conaway	Hoyer				
			Connolly (VA)	Hunter				
			Conyers	Inglis				
			Cooper	Inslee				
			Costa	Israel				
			Costello	Issa				
			Courtney	Jackson (IL)				
			Crenshaw	Jackson-Lee				
			Crowley	(TX)				
			Cuellar	Johnson (GA)				
			Culberson	Johnson (IL)				
			Cummings	Johnson, E. B.				
			Dahlkemper	Johnson, Sam				
			Davis (AL)	Jones				
			Davis (CA)	Jordan (OH)				
			Davis (IL)	Kagen				
			Davis (KY)	Kanjorski				
			Davis (TN)	Kaptur				
			Deal (GA)	Kildee				
			DeFazio	Kilpatrick (MI)				
			DeGette	Kilroy				
			Delahunt	Kind				
			DeLauro	King (IA)				
			Dent	King (NY)				
			Diaz-Balart, L.	Kingston				
			Diaz-Balart, M.	Kirk				
			Dicks	Kirkpatrick (AZ)				
			Dingell	Kissell				
			Doggett	Klein (FL)				
			Donnelly (IN)	Kline (MN)				
			Doyle	Kosmas				
			Dreier	Kratovil				
			Driehaus	Kucinich				
			Duncan	Lamborn				
			Edwards (MD)	Lance				
			Edwards (TX)	Langevin				
			Ehlers	Larsen (WA)				
			Ellison	Latham				
			Ellsworth	LaTourette				
			Emerson	Latta				
			Engel	Lee (CA)				
			Eshoo	Lee (NY)				
			Etheridge	Levin				
			Faleomavaega	Lewis (CA)				
			Fallin	Linder				
			Farr	Lipinski				
			Fattah	LoBiondo				
			Filner	Loeb sack				
			Flake	Lofgren, Zoe				
			Fleming	Lowey				

## NOES—4

Baird Cole  
Barton (TX) King (IA)

## NOT VOTING—10

Adler (NJ) Honda Sánchez, Linda  
Alexander Kennedy T.  
Bachmann Larson (CT) Sullivan  
Harman Lewis (GA)

## ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). Two minutes remain in this vote.

□ 1705

Mr. COLE changed his vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 41 OFFERED BY MR. BOSWELL

The CHAIR. The unfinished business is the demand for a recorded vote on amendment No. 41 offered by the gentleman from Iowa (Mr. BOSWELL) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 2, not voting 15, as follows:

[Roll No. 355]

## AYES—422

Abercrombie Baldwin Bilirakis  
Ackerman Barrett (SC) Bishop (GA)  
Aderholt Barrow Bishop (NY)  
Akin Bartlett Bishop (UT)  
Altmire Bean Blackburn  
Andrews Becerra Blumenauer  
Arcuri Berkley Blunt  
Austria Berman Bocieri  
Baca Berry Boehner  
Bachus Biggert Bonner  
Baird Bilbray Bono Mack

Barton (TX) Jenkins

## NOT VOTING—15

Adler (NJ) Lewis (GA) Schrader  
Alexander Murphy (CT) Shuster  
Bachmann Neugebauer Sullivan  
Harman Paul Young (AK)  
Kennedy Sánchez, Linda  
Larson (CT) T.

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CROWLEY) (during the vote).

Two minutes remain in this vote.

□ 1712

Mr. BURGESS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Chair, on June 17, 2009, I missed rollcall votes 351, 352, 353, 354 and 355 due to illness. Had I been present, I would have voted “aye” on all.

The CHAIR. The Clerk will read.

The Clerk read as follows:

## AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,200 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$299,870,000: *Provided*, That contracts may be entered into under this heading in fiscal year 2010 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

## OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United

States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,340,000: *Provided*, That not to exceed \$2,800 shall be available for official reception and representation expenses.

#### OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, \$13,000,000.

This title may be cited as the "Science Appropriations Act, 2010".

#### TITLE IV

#### RELATED AGENCIES

#### COMMISSION ON CIVIL RIGHTS

#### SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,400,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

#### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (P.L. 110-233), the ADA Amendments Act of 2008 (P.L. 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (P.L. 111-2), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); nonmonetary awards to private citizens; and not to exceed \$26,000,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$367,303,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the House and Senate Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: *Provided further*, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

#### INTERNATIONAL TRADE COMMISSION

#### SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$82,700,000, to remain available until expended.

#### LEGAL SERVICES CORPORATION

#### PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$440,000,000, of which \$414,400,000 is for basic field programs and required independent au-

dit; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$17,000,000 is for management and grants oversight; \$3,400,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by 5 U.S.C. 5304, notwithstanding section 1005(d) of the Legal Services Corporation Act, 42 U.S.C. 2996(d).

#### AMENDMENT NO. 6 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. HENSARLING:

In title IV, strike the heading "Legal Services Corporation" and both paragraphs under that heading including their subheadings.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

□ 1715

Mr. HENSARLING. Mr. Chairman, never in the history of Congress have so few voted so fast to spend so much and in debt so many. The Democrats are in a program to spend more money than we have seen in the history of this institution, and apparently they want very few speed bumps along the road to bankrupting America.

Thus, last night, almost three-quarters of the Republican amendments that would reform, improve government programs, make them more efficient, save the American taxpayer money were ruled out of order. But I suppose, in a modicum of respect for the democratic process, a handful of amendments were made in order. I suppose I'm happy that mine was one of them.

Mr. Chairman, recently, our President has said, Without significant change to steer away from an ever-expanding deficit and debt, we are on an unsustainable course. We have to take the painstaking work of examining every program, every entitlement, every dollar of government spending and ask ourselves, is this program really essential? Are taxpayers getting their money's worth? Can we accomplish our goals more efficiently or effectively some other way?

Why is this important? It's important because already we have seen spending out of control. We are seeing spending at levels that we have never seen before. The national debt will be tripled in 10 years. In just 10 years the national debt will be tripled. The Federal deficit has increased 10-fold, 10-fold in 2 years.

We've seen the taxpayer being forced to shoulder \$6,000 per household to fund

\$700 billion of bailout money, \$9,810 per household to fund a \$1.13 trillion government stimulus plan, \$3,534 per household to fund a \$410 billion omnibus plan, and the list goes on and on and on.

Mr. Chairman, you cannot bail out, borrow and spend your way into prosperity. So, in the spirit of what the President said, when we're looking at a Federal Government that consists of roughly 10,000 Federal programs spread across 600 agencies, at a time when American families are suffering in this economy, maybe, maybe we ought to take a look at a few and see if we can't sunset them so we can provide sunshine and morning to the budgets of the American family.

I believe the Legal Services Corporation is one such program. It hasn't been reauthorized in almost 30 years. The program has a history of waste, of fraud, abuse. Listen to a recent GAO report of last year: expenditures were insufficient in supporting documentation. Out of seven of the 14 grantees we visited, we identified systemic issues involving payments that lack sufficient supporting documentation that made it impossible to determine whether the expenditures were accurate, allowable, or appropriate.

Employee interest-free loans, one grantee we visited was using grant funds to provide interest-free loans to employees. Three grantees used legal services money to purchase alcoholic beverages. Lobbying fees, taxpayer money used for lobbying fees. This isn't me saying this, Mr. Chairman. It's the General Accountability Office. Again, a program of history of waste, fraud and abuse.

Now, I believe the line item in this budget, Mr. Chairman, is \$440 million. Now, we've got a choice. One, it's a program that's been unauthorized since 1980, reported instances of waste, fraud and abuse. And should we actually be taxing taxpayers to force them to subsidize their neighbors to turn around and sue them? I don't think so. I don't think so, Mr. Chairman.

Dollars have alternative uses. We can use \$440 million to save our children from this explosion of national debt, something, something that the majority leader once called fiscal child abuse. We could save small businesses at a time where we desperately need job creation, or the money could be put on automatic pilot, once again, and we could subsidize people so they could turn around and sue their neighbors.

Let's save the American Dream.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. As part of his argument in support of the amendment to strike all funds and language for the Legal Services Corporation, the gentleman appeals to our concern about the national debt.

Well, we all have a concern about the national debt, and it's all about priorities. This amendment would attempt to effect a balancing of the national debt or a reduction of it on the backs of those who are the absolutely least able to afford it and making an extremely small contribution in the process.

Now, more than ever, the Legal Services Corporation really needs a healthy Federal appropriation. Difficult economic circumstances across the country are driving record numbers of Americans under the income thresholds that establish eligibility for Legal Services Corporation. Fifty-one million Americans are now eligible for legal aid, including, Mr. Chairman, 18 million children.

At the same time, non-Federal funding sources for legal aid are declining as State budget deficits and pressures on private charitable organizations have reduced legal aid contributions by outside entities. Now is the very time that legal aid needs Federal support. LSC providers already turn away one out of every two eligible clients who seek assistance. So already, in a difficult economy, when those seeking legal aid are becoming increasingly eligible, we're turning away 50 percent of those who need the service.

With no Federal funding, as the gentleman has proposed in his amendment, Legal Services Corporation grantees would be forced to turn away even more clients who are in desperate need of help.

I urge Members to consider the true human impact of that proposal and oppose the amendment. And I go back to where I started. This is the wrong place to try to balance the budget, on the backs of those who are least able to make a contribution.

I oppose the amendment.

I reserve the balance of my time.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIR. The gentleman has 30 seconds remaining.

Mr. HENSARLING. I yield myself the balance of my time.

Mr. Chairman, I heard the gentleman say that we all have concerns over the national debt. I must admit I haven't seen a lot of that concern on the other side of the aisle since they proposed a budget that will triple it in 10 years.

I didn't hear any answer to the charges of the Government Accountability Office about the waste, the fraud and abuse endemic in this program.

I would also point out to the gentleman, there are pro bono law firms, lawyers that work on contingent fees. There are other options besides taking money away from the Dublin family of Palestine, the Mock family of Athens, the Lilly family of Coffman that I represent in this institution. Their budget, their budget needs to be improved, not the legal services.

And I urge adoption of the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MOLLOHAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The CHAIR. The Clerk will read.

The Clerk read as follows:

#### ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2009 and 2010, respectively.

#### MARINE MAMMAL COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, \$3,300,000.

#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$48,326,000, of which \$1,000,000 shall remain available until expended: *Provided*, That not to exceed \$124,000 shall be available for official reception and representation expenses: *Provided further*, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: *Provided further*, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210.

#### STATE JUSTICE INSTITUTE

##### SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,131,000, of which \$250,000 shall remain available until September 30, 2011: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

#### TITLE V

##### GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for

public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds that:

(1) creates or initiates a new program, project or activity;

(2) eliminates a program, project or activity, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by this Act, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(4) relocates an office or employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(5) reorganizes or renames offices, programs or activities, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(6) contracts out or privatizes any functions or activities presently performed by Federal employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(7) proposes to use funds directed for a specific activity by either the House or Senate Committee on Appropriations for a different purpose, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds;

(8) augments funds for existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; or

(9) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds in provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2010, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds after August 1, except in extraordinary circumstances, and only after the House and Senate Committees on Appropriations are notified 30 days in advance of such reprogramming of funds.

SEC. 506. Hereafter, none of the funds made available in this or any other Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 507. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration, shall provide to the House and Senate Committees on Appropriations a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 509. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 510. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 511. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 512. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than \$700,000,000 during fiscal year 2010 from the fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601).

SEC. 513. None of the funds made available to the Department of Justice in this Act

may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 515. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 516. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes, or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 517. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for

which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 518. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 519. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 520. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.



(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 521. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

SEC. 522. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 523. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

SEC. 524. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent, the program manager shall immediately inform the Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 525. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2010 until the enactment of the Intelligence Authorization Act for fiscal year 2010.

SEC. 526. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites—

(1) a direct link to the Internet websites of their Offices of Inspectors General; and

(2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 527. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

SEC. 528. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—

(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

#### (RESCISSIONS)

SEC. 529. (a) Of the unobligated balances available to the Department of Justice from prior appropriations, the following funds are hereby rescinded, not later than September 30, 2010, from the following accounts in the specified amounts:

(1) "Legal Activities, Assets Forfeiture Fund", \$285,000,000;

(2) "Federal Bureau of Investigation, Salaries and Expenses", \$50,000,000;

(3) "Federal Bureau of Investigation, Construction", \$80,822,000;

(4) "Office of Justice Programs", \$42,000,000; and

(5) "Community Oriented Policing Services", \$40,000,000.

(b) Within 30 days of enactment of this Act, the Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the amount of each rescission made pursuant to this section.

(c) The rescissions contained in this section shall not apply to funds provided in this Act.

SEC. 530. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 531. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 em-

ployees from a Federal department or agency at any single conference occurring outside the United States.

SEC. 532. (a) None of the funds made available in this or any prior Act may be used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia.

(b) None of the funds made available in this or any prior Act may be used to transfer an individual who is detained, as of April 30, 2009, at the Naval Station, Guantanamo Bay, Cuba, into the continental United States, Alaska, Hawaii, or the District of Columbia, for the purposes of detaining or prosecuting such individual until 2 months after the plan detailed in subsection (c) is received.

(c) The President shall submit to the Congress, in writing, a comprehensive plan regarding the proposed disposition of each individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba, who is not covered under subsection (d). Such plan shall include, at a minimum, each of the following for each such individual:

(1) The findings of an analysis regarding any risk to the national security of the United States that is posed by the transfer of the individual.

(2) The costs associated with not transferring the individual in question.

(3) The legal rationale and associated court demands for transfer.

(4) A certification by the President that any risk described in paragraph (1) has been mitigated, together with a full description of the plan for such mitigation.

(5) A certification by the President that the President has submitted to the Governor and legislature of the State to which the President intends to transfer the individual a certification in writing at least 30 days prior to such transfer (together with supporting documentation and justification) that the individual does not pose a security risk to the United States.

(d) None of the funds made available in this or any prior Act may be used to transfer or release an individual detained at Naval Station, Guantanamo Bay, Cuba, as of April 30, 2009, to the country of such individual's nationality or last habitual residence or to any other country other than the United States, unless the President submits to the Congress, in writing, at least 30 days prior to such transfer or release, the following information:

(1) The name of any individual to be transferred or released and the country to which such individual is to be transferred or released.

(2) An assessment of any risk to the national security of the United States or its citizens, including members of the Armed Services or the United States, that is posed by such transfer or release and the actions taken to mitigate such risk.

(3) The terms of any agreement with another country for acceptance of such individual, including the amount of any financial assistance related to such agreement.

SEC. 533. Section 504(a) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (as contained in Public Law 104-134) is amended by striking paragraph (13).

SEC. 534. Notwithstanding any other provision of law, to the extent that the Attorney General (or a designee) authorizes or approves, if a law enforcement or corrections officer employed by the Department of Justice dies while performing official duties or as a result of the performance of official duties, the Department of Justice may pay from Government funds the qualified relocation expenses of the immediate dependent

family of the employee, and the expenses of preparing and transporting the remains of the deceased.

This Act may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2010".

Mr. MOLLOHAN (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 101, line 20, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIR. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I rise to attempt to be of some service to the Obama administration and others in the House that may be concerned about a decision he made not too long ago. And I'd ask unanimous consent that we put Executive Order 13492 in the RECORD at this point.

The CHAIR. Does the gentleman seek to offer an amendment?

Mr. LEWIS of California. Yes, I do.

The CHAIR. Will the gentleman specify the number of the amendment he wishes to offer?

Mr. LEWIS of California. It is amendment No. 118.

AMENDMENT NO. 118 OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 118 offered by Mr. LEWIS of California:

At the end of the bill (before the short title), insert the following:

"SEC. . None of the funds made available in this Act may be used to implement Executive Order 13492, issued January 22, 2009, titled "Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities"."

The CHAIR. Pursuant to House Resolution 552, the gentleman from California (Mr. LEWIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I would like to have this executive order put in the RECORD at this point.

PRESIDENTIAL DOCUMENTS—EXECUTIVE ORDER 13492 OF JANUARY 22, 2009—REVIEW AND DISPOSITION OF INDIVIDUALS DETAINED AT THE GUANTÁNAMO BAY NAVAL BASE AND CLOSURE OF DETENTION FACILITIES

By the authority vested in me as President by the Constitution and the laws of the United States of America, in order to effect the appropriate disposition of individuals currently detained by the Department of Defense at the Guantánamo Bay Naval Base (Guantánamo) and promptly to close detention facilities at Guantánamo, consistent with the national security and foreign policy interests of the United States and the interests of justice, I hereby order as follows:

Section 1. Definitions. As used in this order:

(a) "Common Article 3" means Article 3 of each of the Geneva Conventions.

(b) "Geneva Conventions" means:

(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, August 12, 1949 (6 UST 3114);

(ii) the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, August 12, 1949 (6 UST 3217);

(iii) the Convention Relative to the Treatment of Prisoners of War, August 12, 1949 (6 UST 3316); and

(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949 (6 UST 3516).

(c) "Individuals currently detained at Guantánamo" and "individuals covered by this order" mean individuals currently detained by the Department of Defense in facilities at the Guantánamo Bay Naval Base whom the Department of Defense has ever determined to be, or treated as, enemy combatants.

Sec. 2. Findings.

(a) Over the past 7 years, approximately 800 individuals whom the Department of Defense has ever determined to be, or treated as, enemy combatants have been detained at Guantánamo. The Federal Government has moved more than 500 such detainees from Guantánamo, either by returning them to their home country or by releasing or transferring them to a third country. The Department of Defense has determined that a number of the individuals currently detained at Guantánamo are eligible for such transfer or release.

(b) Some individuals currently detained at Guantánamo have been there for more than 6 years, and most have been detained for at least 4 years. In view of the significant concerns raised by these detentions, both within the United States and internationally, prompt and appropriate disposition of the individuals currently detained at Guantánamo and closure of the facilities in which they are detained would further the national security and foreign policy interests of the United States and the interests of justice. Merely closing the facilities without promptly determining the appropriate disposition of the individuals detained would not adequately serve those interests. To the extent practicable, the prompt and appropriate disposition of the individuals detained at Guantánamo should precede the closure of the detention facilities at Guantánamo.

(c) The individuals currently detained at Guantánamo have the constitutional privilege of the writ of habeas corpus. Most of those individuals have filed petitions for a writ of habeas corpus in Federal court challenging the lawfulness of their detention.

(d) It is in the interests of the United States that the executive branch undertake a prompt and thorough review of the factual and legal bases for the continued detention of all individuals currently held at Guantánamo, and of whether their continued detention is in the national security and foreign policy interests of the United States and in the interests of justice. The unusual circumstances associated with detentions at Guantánamo require a comprehensive inter-agency review.

(e) New diplomatic efforts may result in an appropriate disposition of a substantial number of individuals currently detained at Guantánamo.

(f) Some individuals currently detained at Guantánamo may have committed offenses for which they should be prosecuted. It is in the interests of the United States to review whether and how any such individuals can and should be prosecuted.

(g) It is in the interests of the United States that the executive branch conduct a prompt and thorough review of the circumstances of the individuals currently de-

tained at Guantánamo who have been charged with offenses before military commissions pursuant to the Military Commissions Act of 2006, Public Law 109-366, as well as of the military commission process more generally.

Sec. 3. Closure of Detention Facilities at Guantánamo. The detention facilities at Guantánamo for individuals covered by this order shall be closed as soon as practicable, and no later than 1 year from the date of this order. If any individuals covered by this order remain in detention at Guantánamo at the time of closure of those detention facilities, they shall be returned to their home country, released, transferred to a third country, or transferred to another United States detention facility in a manner consistent with law and the national security and foreign policy interests of the United States.

Sec. 4. Immediate Review of All Guantánamo Detentions.

(a) Scope and Timing of Review. A review of the status of each individual currently detained at Guantánamo (Review) shall commence immediately.

(b) Review Participants. The Review shall be conducted with the full cooperation and participation of the following officials:

(1) the Attorney General, who shall coordinate the Review;

(2) the Secretary of Defense;

(3) the Secretary of State;

(4) the Secretary of Homeland Security;

(5) the Director of National Intelligence;

(6) the Chairman of the Joint Chiefs of Staff; and

(7) other officers or full-time or permanent part-time employees of the United States, including employees with intelligence, counterterrorism, military, and legal expertise, as determined by the Attorney General, with the concurrence of the head of the department or agency concerned.

(c) Operation of Review. The duties of the Review participants shall include the following:

(1) Consolidation of Detainee Information. The Attorney General shall, to the extent reasonably practicable, and in coordination with the other Review participants, assemble all information in the possession of the Federal Government that pertains to any individual currently detained at Guantánamo and that is relevant to determining the proper disposition of any such individual. All executive branch departments and agencies shall promptly comply with any request of the Attorney General to provide information in their possession or control pertaining to any such individual. The Attorney General may seek further information relevant to the Review from any source.

(2) Determination of Transfer. The Review shall determine, on a rolling basis and as promptly as possible with respect to the individuals currently detained at Guantánamo, whether it is possible to transfer or release the individuals consistent with the national security and foreign policy interests of the United States and, if so, whether and how the Secretary of Defense may effect their transfer or release. The Secretary of Defense, the Secretary of State, and, as appropriate, other Review participants shall work to effect promptly the release or transfer of all individuals for whom release or transfer is possible.

(3) Determination of Prosecution. In accordance with United States law, the cases of individuals detained at Guantánamo not approved for release or transfer shall be evaluated to determine whether the Federal Government should seek to prosecute the detained individuals for any offenses they may have committed, including whether it is feasible to prosecute such individuals before a

court established pursuant to Article III of the United States Constitution, and the Review participants shall in turn take the necessary and appropriate steps based on such determinations.

(4) *Determination of Other Disposition.* With respect to any individuals currently detained at Guantánamo whose disposition is not achieved under paragraphs (2) or (3) of this subsection, the Review shall select lawful means, consistent with the national security and foreign policy interests of the United States and the interests of justice, for the disposition of such individuals. The appropriate authorities shall promptly implement such dispositions.

(5) *Consideration of Issues Relating to Transfer to the United States.* The Review shall identify and consider legal, logistical, and security issues relating to the potential transfer of individuals currently detained at Guantánamo to facilities within the United States, and the Review participants shall work with the Congress on any legislation that may be appropriate.

Sec. 5. *Diplomatic Efforts.* The Secretary of State shall expeditiously pursue and direct such negotiations and diplomatic efforts with foreign governments as are necessary and appropriate to implement this order.

Sec. 6. *Humane Standards of Confinement.* No individual currently detained at Guantánamo shall be held in the custody or under the effective control of any officer, employee, or other agent of the United States Government, or at a facility owned, operated, or controlled by a department or agency of the United States, except in conformity with all applicable laws governing the conditions of such confinement, including Common Article 3 of the Geneva Conventions. The Secretary of Defense shall immediately undertake a review of the conditions of detention at Guantánamo to ensure full compliance with this directive. Such review shall be completed within 30 days and any necessary corrections shall be implemented immediately thereafter.

Sec. 7. *Military Commissions.* The Secretary of Defense shall immediately take steps sufficient to ensure that during the pendency of the Review described in section 4 of this order, no charges are sworn, or referred to a military commission under the Military Commissions Act of 2006 and the Rules for Military Commissions, and that all proceedings of such military commissions to which charges have been referred but in which no judgment has been rendered, and all proceedings pending in the United States Court of Military Commission Review, are halted.

Sec. 8. *General Provisions.*

(a) Nothing in this order shall prejudice the authority of the Secretary of Defense to determine the disposition of any detainees not covered by this order.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA,  
THE WHITE HOUSE,  
January 22, 2009.

As we all know, Mr. Chairman, the President signed Executive Order 13492 to close Guantánamo Bay detention facility in January. More than 4 months later, there is still no evidence of a plan to carry out this order and no consultation with the Congress. Yet the

administration is raising to move detainees, all the while withholding information from the Congress and the public.

First, let me say that last week a suspected plotter of the 1998 embassy bombings in Africa arrived in New York for a high-threat trial.

Second, last week, the government of Palau announced that it would accept some of the Uyghur detainees. Press accounts linked this announcement to some significant level of assistance on the part of the American government to Palau.

The Uyghur detainees are affiliated with a listed terrorist group and received weapons training in camps in Afghanistan run by leaders affiliated with al Qaeda. To say the least, we ought to be concerned about any group that's been trained under those circumstances.

Finally, last week, the Department of Justice announced that four of the Uyghur detainees have been resettled in Bermuda, a visa waiver country.

The Congress and the American people found out about these actions and efforts after the fact.

And there is more. Three detainees have already been transferred to Saudi Arabia, one to Chad and one to Iraq. And we are hearing rumors about possible deals with Yemen, Italy and Albania.

□ 1730

All of this has been done without an assessment of the risks to the American people at home and abroad or without an assessment of the risk to our U.S. forces by such releases. The Guantánamo detainees include the perpetrators of some of the most horrific terrorist acts against Americans, including 9/11, the USS *Cole* bombing, and the Embassy bombings in Africa.

Director Mueller of the FBI attested to Congress 3 weeks ago that bringing detainees to U.S. soil poses risks to national security, including providing financing, radicalizing others and undertaking attacks in the United States. Additionally, the Department of Defense has reported that at least 14 percent of former Guantánamo detainees have returned to terrorist activity in the region. To say the least, we ought to be concerned about the release of people of that kind who threaten our interests anywhere in the world.

This administration is ignoring or is disregarding those risks, and it is stonewalling the Congress. We need to stop this administration from rushing to transfer or to resettle anymore detainees at the expense of an increased risk to Americans. We need to help the President simply fulfill his campaign promise.

The President has been very busy since his inaugural. There is little question he has been down many a pathway, and he has even found that some of those pathways might very well have been mistakes. Well, this is a case where I believe a decision was

made without its being carefully thought through, let alone knowing the serious implications of the actions to be taken. We are attempting by this amendment to help the administration rethink that decision that they have made.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to this amendment which would essentially prohibit any funds to be spent with regard to the implementation of the Executive order requiring the closure of the detention facilities at Guantánamo Bay.

I believe that the closing of Guantánamo is the right policy decision. The President believes that, and the President has acted on that. It's an embarrassment to the country. It's a symbol that has really fomented a lot of opposition to the United States around the world. The continued existence of Gitmo is a basic assault on our values, and it undermines the success in our counterterrorism programs.

President Obama and I aren't the only ones who believe this. Secretary Gates, Admiral Mullen and the Nation's top civilian and military defense officials agree that it should be closed. Also, both President Bush's Secretaries of State and a variety of other bipartisan political officials agree that it should be closed. So this is a bipartisan position.

We have already clearly communicated to the White House that they must submit a plan showing how they intend to proceed. The White House has agreed, and I am confident that their plan will show a reasonable path forward.

The bill before you today, Mr. Chairman, includes provisions to ensure that the Congress will have sufficient opportunity to weigh in on that plan, when it is submitted, and to preclude most activities prior to that. This legislation before us tonight does not permit the release of Gitmo detainees into the United States during fiscal year 2010. It does not permit the transfer of detainees to the U.S. for detention or prosecution purposes until 2 months after we've received the plan. It does not permit the transfer of detainees to foreign countries without notification and certifications to the Congress, and it does not provide any funds for activities relating to the Gitmo closure. This will ensure that we have additional opportunities to debate this issue when the administration requests a budget amendment or a supplemental to fund this plan.

We have established a good process for the consideration of this issue, and it should be allowed to play out before we start prejudicing a plan that we don't even have before us. This bill posits this issue in a good way. I oppose the amendment, Mr. Chairman.

I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield the balance of my time to my colleague from Kansas (Mr. TIAHRT).

The CHAIR. The gentleman from Kansas is recognized for 1½ minutes.

Mr. TIAHRT. I thank the gentleman from California.

Mr. Chairman, this is a very important amendment. I think it's very important that we understand what is at play here.

The current plan by the President through executive order is to close Guantanamo Bay down. Now, this facility is a state-of-the-art, modern facility. It includes the right strategy as far as the layout of the facility. It also has a modern, new courtroom—a state-of-the-art courtroom—well-suited to handle the challenges that we have in trying to deal with these detainees, these self-proclaimed terrorists.

Now, I've been to Guantanamo Bay twice. I've been to other facilities, like Fort Leavenworth. The idea of moving these self-professed terrorists to American soil is a bad idea. It is a worse idea to put them in our prisons. We've had two incidences within the last month where American citizens have been recruited by radical Islamists in our own prisons. When they were released, they committed acts of terror in our country. It is a bad idea to send these detainees to our prisons. It is a terrible idea to send them to our American streets.

Now, this prison cost less than \$100 million to build. Yet the President's plan, as reported, is to send some of these Uyghurs, some of these Chinese terrorists, to Palau, and we are going to give the Nation of Palau \$200 million to take care of the Uyghurs—only 17 of them. This does not make financial sense. It does not make sense for our culture or for the safety of our people here in America.

One of the excuses that I've heard is that, Well, we've got to close Guantanamo Bay because it's used as a recruiting tool. Well, let me tell you: On September 11, 2001, Guantanamo Bay did not exist. It was not used as a recruiting tool. What have been used as recruiting tools are the pictures of these detainees, themselves. Yesterday's bill, the supplemental, which was passed by this House against my vote, did not prevent the release of detainee photos. Those will be used. Those will be used to recruit other terrorists, so don't give us that as an excuse as why you've got to close Guantanamo Bay.

Financially, it makes sense to keep it open. As far as the safety of our country, it makes sense to keep it open. So pass this amendment. Do the right thing for our country. Vote for the Lewis amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LEWIS).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. LEWIS of California. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 69 OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 69 offered by Mr. TIAHRT: At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available in this Act may be used to obligate, or pay the salary or expenses of personnel who obligate, funds made available under the following headings in title II of division A of Public Law 111-5:

(1) "Economic Development Administration—Economic Development Assistance Programs".

(2) "National Telecommunications and Information Administration—Digital-to-Analog Converter Box Program".

(3) "National Institute of Standards and Technology—Construction of Research Facilities".

The CHAIR. Pursuant to House Resolution 552, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, earlier this year, the Obama administration told us the stimulus bill was going to be the salvation of our economic woes. They predicted unemployment would top out at 8 percent, and they claimed that jobs would be created or saved immediately. Well, there has been a significant amount of time since it was passed, and our economic woes haven't changed. In fact, the numbers are in stark contrast to what we see today.

Unemployment now is at 9.4 percent, and it is headed toward double digits. Just this week, CNN reported that Americans saw \$1.3 trillion of wealth vaporize in the first quarter of 2009. Despite the massive government spending, foreclosures continue. Car dealerships are closing and layoffs continue. Home values have continued to decline, and the stock market is down 40 percent from last year.

Our government is borrowing money it does not have. It is inflating programs and projects we do not need. Recently, it was reported that over 100 wasteful projects were funded through this stimulus bill.

There is a project that includes thousands of signs, at \$300 each, to brag about the projects paid for under this bill. There are projects here that could have been funded under regular order. There is \$2.2 million for a State-run liquor warehouse to put skylights in the installation. There is \$3.4 million for road tunnels for turtles. Tunnels for turtles. Now, it seems like maybe the turtles will need the signs to find the tunnels. There is over \$40 billion in a State slush fund, and there is money for education. Secretary of Education

Duncan has admitted he doesn't know how to spend it.

This is your stimulus money at work here in America. Taxpayers don't understand why so much money is being wasted so quickly with nothing to show for it. My amendment on the floor today would keep a quarter of \$1 billion from our deficit by taking the stimulus dollars to pay for this legislation and for other legislation. Now, at a time when Americans are pulling back on their spending and are saving more, our government should do the same.

In the first quarter of this year, household debt fell by an annual rate of 1.1 percent, which is \$13.8 trillion. Instead of following our constituents' actions, though, our government continues to spend money that we do not have. When our government spends money that we do not have, one of two things happens: either we borrow it from countries like China—and since China isn't buying our debt now, the other solution is that our Federal Government prints money. We have had the Fed pump over \$1 trillion of new money into our economy. The problem with the infusion of new money into our economy like this is that it causes inflation. When you have more money available for, roughly, the same amount of goods, you get inflation. The equation is very simple. The more money we print, the less our money is worth.

Inflation hits our retired Americans the worst. They're on fixed incomes. It hits the working poor the hardest—people who are just getting by. When you take purchasing value away from them, they're worse off. These Americans have worked too hard for their money to see the actions of the Federal Reserve drastically reduce its value.

Our economic instability and uncertainty is making America's bonds toxic. Even countries like China and Brazil are turning up their noses at U.S.-held securities in favor of International Monetary Fund bonds.

Let's follow our constituents' lead. Let's slow the Treasury's printing press. Let's cut up our Chinese credit card and act responsibly by repealing the portion of unobligated funds in the stimulus and pay for the portion of this bill today before us.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I oppose this amendment.

I scratch my head as I did in full committee. Why would the gentleman be offering an amendment to jerk the rug out from under the Recovery Act at a time when the Recovery Act is beginning to stimulate and to help the recovery of our economy in the Nation? It is just the wrong time to do this, and

I still question the gentleman's logic in this.

Mr. TIAHRT's amendment attempts to prevent the obligation of Recovery Act funds for the Economic Development Administration. If there is one agency in the Federal Government that is focused on fomenting economic development, it is the Economic Development Administration. This agency is charged with stimulating economic development in areas that are most needy head on and the amendment is trying to undermine its ability to do its mission.

NTIA's digital-to-analog converter box program is attacked, as is the NIST research construction account. There is criticism in a lot of areas, and certainly in some quarters on the other side of the aisle, by those who oppose the Recovery Act, that funds are not getting out quickly enough for construction. Those are the areas that demonstratively provide real jobs in real time.

So it's unclear why Mr. TIAHRT is singling out these agencies when so many other agencies in this bill also receive funds under the Recovery Act. It is the wrong time to reach back and to try to undo the stimulus package at a time when the economy is recovering. Recovery is measured by a lot of things—by the recovery in the credit markets, by improvements in the capital markets.

Mr. Chairman, I rise in opposition to the amendment. It is an unwise time to do this, and I would hope that the body would oppose the amendment.

I reserve the balance of my time.

Mr. TIAHRT. How much time is remaining, Mr. Chairman?

The CHAIR. The gentleman from Kansas has 2½ minutes remaining.

Mr. TIAHRT. Mr. Chairman, the reason that we would repeal the Recovery Act, or the stimulus bill, is that it simply doesn't work.

In the 1930s, we tried a similar philosophy. We borrowed money from other countries and we started programs that had never before been tried, and throughout the 1930s, we had double-digit unemployment. In May of 1939, Secretary of the Treasury Morgenthau said that we have borrowed all of this money; we have spent all of this money, and we have nothing to show for it. The Recovery Act does not work.

In the 1990s, Japan tried the same thing. They had a recession. They borrowed money. They started government programs, and it didn't work there either. They call that their "lost decade" where the average per capita income in Japan went from 2nd in the world to 10th in the world.

□ 1745

If you want something that works, it's not borrowing money and spending money. Instead, we need to provide opportunity for our economy. Four out of five jobs in America are small business jobs. We need to provide small business jobs. Remember, General Motors start-

ed out in a garage, Boeing started in a barn, Pizza Hut started in a building that's smaller than your office, because they had opportunity. And we can provide opportunity without borrowing money from China or printing new money at the Treasury. We can do it by reforming our regulations, put them on cost-based analysis. We can do it by reforming our health care, making it market based. We can do it by reforming our litigation policy, using loser pays. We can do it by lowering our taxes and making capital welcome in America.

Capital is a coward, and we are scaring it off. And you can't create an economy that is strong and recoverable if you don't create small business jobs. So if you really want to do it, you can do it on the cheap and do it successfully.

If you want to borrow this money and force this debt on our kids, this \$250 billion, then you can go ahead with this plan. But there is something better. There is an alternative that actually works, and historically it's proven.

So what we want to do is repeal the Recovery Act, the stimulus bill, and provide the opportunity to allow America to grow because when America grows and our economy grows, the Federal revenue grows.

That's how we balanced the budget in 1990s. It wasn't Bill Clinton's budget. It was the House of Representatives coming up with opportunity for small businesses. We limited the growth in government, and we saw our economy expand at over 7 percent per year. And that's how we balanced the budget. We can do that again if we just start by getting some common sense and repeal the unobligated funds in the Recovery Act.

The CHAIR. The time of the gentleman has expired.

Mr. MOLLOHAN. Mr. Chairman, I would close by repeating again that this is the wrong time. The markets are improving. Credit is being reestablished. Confidence in the economy is increasing. This is the wrong time to jerk the rug out from under the stimulus package, which has gone a long way in achieving this progress. I oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. TIAHRT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. TIAHRT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT NO. 102 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 102 offered by Mr. CUELLAR:

At the end of the bill, before the short title, insert the following new section:

SEC. 535. None of the funds made available in this Act may be used to purchase light bulbs unless the light bulbs have the "Energy Star" or "Federal Energy Management Program" designation.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank Chairman MOLLOHAN for the leadership that he has provided on this particular bill, along with the ranking member on this particular bill.

I rise today in support of my amendment to ensure long-term taxpayer savings. This amendment will make certain that no lightbulbs will be purchased using funds appropriated under this bill that do not meet the ENERGY STAR or the Federal Energy Management Standards.

As you know, Mr. Chairman, this amendment would ensure that the Federal Government makes a long-term investment in lowering costs to taxpayers on inefficient technology. ENERGY STAR lightbulbs have been proven to use less electricity and last longer, saving taxpayers dollars on both counts.

Americans know that regular lightbulbs waste almost 90 percent of the energy on generating heat instead of light. ENERGY STAR lightbulbs, which use compact fluorescent light, provide the same light as a standard bulb but use 75 percent less energy and last 8 to 12 times longer.

I know this amendment was approved in past appropriations, and this House accepted this amendment included in the fiscal year 2008 Legislative Branch Appropriations.

I want to thank Mr. UPTON, Ms. HARMAN, and Mr. INGLIS. Both Democrats and Republicans have supported this particular amendment.

Mr. Chairman, at this time I yield to the chairman.

Mr. MOLLOHAN. I thank the gentleman.

I commend him for his efforts in this area, environmentally conscious, and I appreciate his contribution to our bill.

Mr. Chairman, we accept the amendment.

Mr. CUELLAR. If there is no opposition, I will stand with the chairman's recommendation.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 96 OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I have an amendment made in order by the rule at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 96 offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Appropriations made in Title II of this Act are hereby reduced in the amount of \$100,000,00.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, this is a simple amendment that says that we ought to take \$100 million, we ought to adopt the President's challenge to the departments, and we ought to save, remove, \$100 million from the Department of Justice in this bill.

On April 20 the President held his first Cabinet meeting, and he charged the members of his Cabinet with finding \$100 million out of their departments in savings. This was to try to live up to his promise of going through the budget line by line.

It's important, Mr. Chairman, to put \$100 million in context: A \$100 million reduction in the President's budget would be 1/40,000th of the Federal budget, 1/7,830th of the size of the "nonstimulus" bill adopted earlier this year, 1/1,845th of this year's budget deficit reduced. It would be the amount that the Federal Government spends every 13 minutes. Mr. Chairman, \$100 million is what the government spends every 13 minutes.

Don't you think we could find \$100 million, what we spend every 13 minutes, as savings? It's the equivalent of a family that earns \$40,000 cutting a dollar out of their budget.

Mr. Chairman, in the context of this bill, it's even more striking. From fiscal year 2008 numbers to this proposal here on the table, a 24.2 percent increase, that's a \$13 billion increase, and \$100 million is less than 1 percent.

Mr. Chairman, it just makes sense, while the American people are struggling, while the American people are tightening their belts, while they're clamoring for us to be fiscally responsible and not spend any more of their money, to save \$100 million, find \$100 million. Can't we do just that?

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, I oppose this amendment.

At this funding level, the bill supports more than \$585 million in increases for counterterrorism and intelligence programs. At the same time, the bill makes long overdue reinvestments in traditional Department of Justice missions like drug and firearms enforcement, regulation of the marketplace, protection of civil rights and liberties, support of the judicial process and State and local assistance. Specific initiatives include: \$63 million for new funding to address white collar crime; \$24 million in new funds to reinvigorate and expand civil rights enforcement; \$71 million to improve the safety and security of inmates and guards in Federal prisons; \$345 million in new funds to safeguard the Southwest border, address the Mexican cartel violence, and support activities of the Department of Homeland Security; and \$3.4 billion in grant funding for State and local enforcement assistance, including \$298 million to put additional police on the beat, \$100 million for prisoner reentry initiatives, and \$94 million for tribal law enforcement.

These investments are absolutely necessary, unlike what the gentleman has suggested that somehow they're unnecessary, that somehow this is change that can be found, and these programs can be cut. In fact, what we are doing is reinvesting in the law enforcement infrastructure of this country on the border, in our cities, and in the issues of white-collar crime.

I would hope that he would understand that this is an essential part of this legislation and that this was carefully crafted as we consulted with people across the various jurisdictions within these institutions to make sure that we could, in fact, provide them to be secure and to serve the needs of this Nation. I think this has been a good-faith effort to do that, and I would hope that we would reject this amendment.

I ask for a "no" vote.

Mr. Chairman, I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Chairman, carefully crafted? Carefully crafted? A 24.2 percent increase, \$13 billion increase, carefully crafted?

I never suggested that these programs weren't important. What I suggested, Mr. Chairman, was that out of the entire budget of the Department of Justice, can we not save a penny on a dollar? Can we not save a penny on a dollar when the American people are struggling across this land to find pennies that the Federal Government is stealing from them? Can we not just save a penny on a dollar? It's a simple thing to do, Mr. Chairman.

I urge my colleagues to support this amendment.

Mr. Chairman, I am pleased to yield to my friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, as someone who served as a judge and a

chief justice and had it constantly drubbed into my head during hours and hours and hours of ethics classes about the appearance and potential conflicts of interest, we know that our chairman was deservedly getting accolades from crew and others for recusing himself in 2007 because of the reported investigation by the Department of Justice.

This is an elephant in the room. The Department of Justice budget is being dealt with here, and there has been no indications that there has not been an investigation. So I'm hoping that the record can be clear because it does look funny, it smells bad, if someone's under investigation and they're managing the budget for those who are doing the investigation.

I thought it was a wonderful thing that Chairman MOLLOHAN did in 2007. He deserved the accolades he got for recusing himself. And I was wondering, and I would be glad to yield for the chairman to indicate, if there is no further investigation. Obviously, there is no requirement to respond.

But it is an elephant in the room. It clearly is a conflict of interest. And I hope that we can help eradicate the so-called "culture of corruption" that appeared to the public by dealing with this issue.

Mr. PRICE of Georgia. Mr. Chairman, again, I think it's important to appreciate that in the context of this overall bill, in the context of this portion of the appropriations process that's gone from \$51 billion in 2008 to \$64 billion this year, that's a 24.2 percent increase, a \$13 billion increase. Can we not find \$100 million? In fact, that's what the President asked, to find \$100 million in savings. It wasn't too much for the President to ask.

Let's help out this administration in their minimal attempts to provide fiscal responsibility, minimal attempts. I urge my colleagues to support an amendment that all it's asking for is saving less than one penny out of every dollar.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 98 OFFERED BY MR. HODES

Mr. HODES. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 98 offered by Mr. HODES:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ The Director of the Office of Management and Budget shall instruct any



department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

The CHAIR. Pursuant to House Resolution 552, the gentleman from New Hampshire (Mr. HODES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. HODES. Mr. Chairman, I rise in support of the amendment I have offered, amendment No. 98.

I begin by congratulating Chairman Mollohan and the ranking member on all of their important work on this legislation, and I thank the Rules Committee for making this amendment in order.

Mr. Chairman, currently once taxpayer dollars have been appropriated by Congress to grant accounts, there is no accountability required of those funds.

□ 1800

My amendment would fix this problem and make sure taxpayer dollars are accounted for after we have appropriated those moneys.

In an August 2008 report on grants management, the GAO recommended that the Office of Management and Budget report annually on expired undisbursed grant accounts, but unfortunately no action has been taken on this recommendation, and taxpayer dollars are sitting unused in these accounts.

My amendment is similar to what was required in the American Recovery and Reinvestment Act. My amendment ensures that there is clear oversight of taxpayer dollars. The amendment requires oversight and accountability of expired undisbursed grant accounts. The amendment would instruct all executive departments and independent agencies to track undisbursed balances in expired grant accounts and report the results to the Office of Management and Budget. This will help lower the national deficit because my amendment also requires the reports to identify which accounts could be returned to the United States Treasury.

Now the group Citizens Against Government Waste has advocated similar policies. Most recently they advocated

rescinding funds earmarked by Congress for the Federal Transit Administration that remain unobligated after 3 years. With so many families struggling in this tough economy, we must invest wisely to help our constituents and to be vigilant with taxpayer dollars. We need to ensure there is strong oversight and accountability once taxpayer dollars are appropriated. This amendment is a critical step in keeping track of our dollars once they've gone out the door. I urge my colleagues on both sides of the aisle to support this fiscally responsible amendment.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. HODES. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. I thank the gentleman for his contribution to the bill. It is a real one, and we are pleased to accept the amendment, Mr. Chairman.

Mr. HODES. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. HODES).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Hampshire will be postponed.

AMENDMENT NO. 63 OFFERED BY MR. NUNES

Mr. NUNES. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 63 offered by Mr. NUNES:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to implement the biological opinion entitled "Biological Opinion and Conference Opinion on the Long-Term Operations of the Central Valley Project and State Water Project", issued by the National Marine Fisheries Service and dated June 4, 2009.

The CHAIR. Pursuant to House Resolution 552, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. NUNES. Mr. Chair, today it's been 628 days since many of my colleagues and I requested this Congress to take action to avoid a collapse of civil society in the San Joaquin Valley. Only 3 months ago I again warned Congress that an economic catastrophe was looming. Despite this warning, the leadership of this Congress sat back and did absolutely nothing. The result, 40,000 workers laid off, unemployment nearing 20 percent with some Valley communities nearing 50 percent. This man-made drought in California is the direct result of this government's action to protect the 3-inch minnow. The situation has now been compounded by a recent Obama administration action

that now blames cities and farms in California for the plight of the killer whale. This is absolutely absurd. What is wrong with this government? We are starving people to save the killer whale now. This highly controversial opinion was rushed into print by the Obama administration without public comment or debate. This is a clear violation of the Endangered Species Act and has since been challenged in court. Nevertheless, the Obama administration, just like the captain of the Titanic, declared full steam ahead and mandated further reductions on California's water supply. This has caused water shortages to spread not only in the San Joaquin Valley but now to Los Angeles and even to San Diego. The Democrat Congress is directly responsible. You were warned, you failed to act, and now this Congress must accept the responsibility for their actions.

A government that cannot provide water is a government that has failed. Throughout history, dictators like Zimbabwe's Robert Mugabe have used water as a weapon to starve their enemies of water. But what we've never seen in history is a democracy starving its own people of water.

Mr. Chair, my constituents are not enemies of the state. Quite honestly, offering this amendment today is the worst of all options. But because of the actions of this Democrat majority, I had no other choice. They have refused to allow debate on this issue or even a vote on a bill that would end this crisis for good. This amendment is a small step in a long process that must be made to build a case that this Congress has failed its constitutional duties to provide for the general welfare of its citizens.

Mr. Chair, this is a bipartisan amendment. I would urge support of this amendment. My colleagues Mr. CARDOZA and Mr. COSTA have been very helpful in drafting this amendment. I hope that the Congress would adopt it.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise to claim the time in opposition, while I may not be in opposition.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Thank you very much, Mr. Chairman.

I rise to speak in favor of Congressman NUNES' amendment. My district is ground zero, where the drought is having its most severe effect in California. The biological opinion in question asked for modifications to the Central Valley and State water projects that would divert even more water from agricultural communities in the San Joaquin Valley. We believe, with the modeling, that this adds another 330,000 acre-feet to more than 3 million acre-feet of water that has already been reallocated over the last 20 years.

There are substantial biological assessments that have been performed on the delta. These opinions have been cited, the assessments have been made, but they were not taken into account in this biological opinion. Therefore, we believe it's flawed.

There are other factors that contribute to the decline of the fisheries in the delta which we must change, which we must correct—treatment from sewage facilities; unscreened private pump diversions that take up as much water in the delta as we export south; nonpoint source pollution that has quadrupled as a result of urban areas in the area; and invasive species.

Bottom line, this biological opinion is flawed, and we ask that we finally stop this nonsense and come together. When will this stop? When our valley has no more water left for its farmers and its farm workers? I strongly support Congressman NUNES' amendment. I ask that we come together in a bipartisan sense. This is not a Republican or a Democratic issue. It's an issue that we must solve, and we must do it now.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the chairman for yielding.

I would hope that Members would oppose this amendment. This amendment makes nothing better. I appreciate the frustration of my friends who live in the Valley and are undergoing very serious economic times. But the fact of the matter is, to suggest now to throw out this biological opinion makes nothing better.

Now you have a situation where the Bureau of Reclamation is trying to deal with these problems. We would lose this consultative agency and the Marine Fisheries Agency; and as a result of that, they could not go forward with another biological opinion, which you may or may not want. But what we would be is we would be stymied, as was suggested in this opinion and by the court, in the ability to look for other mechanisms that we could use instead of just turning to the idea that you're going to reduce the pumping. But that goes out the door now because you will not have the scientific credibility enabling the bureau to go forward. So the bureau will fumble around now for a number of months, trying to figure out how to handle this problem. And eventually, for legal reasons, they're going to have to go back to the Marine Fisheries, and the Marine Fisheries are going to tell them that Congress barred them from consultations. The consultations will not take place; and as a result of that, we have lost a year, 18 months, 2 years, whatever time it takes instead of going forward on this biological opinion which allow for some additional alternatives, some additional investigations within the delta and elsewhere in this system.

This builds on a whole series of reports that have come out by the past administration's Office of Management

and Budget, saying that the failure here is not to look at the water system, the CVP, on a system-wide basis. We keep chopping it up in little increments. We chop it up based upon the Valley, based upon the south, based upon the north, based upon the delta. We thought that with good science, we would have the opportunity to start to overcome that and to broaden this discussion. But this amendment will collapse it all back again, we'll start all over again, and we'll just waste a lot of time. And the problems in the Central Valley will get worse for agriculture; they will get worse for the economy; they'll get worse in Southern California; they'll get worse in the delta; we'll have more endangered species lawsuits; and we'll have more complications. And we'll accomplish nothing.

It's bold in its approach. It's destructive in its results.

The CHAIR. The gentleman from West Virginia has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. NUNES. Mr. Chair, excuses, excuses, excuses. What we've had throughout my entire career in Congress is more and more excuses. I appreciate the gentleman spent three decades in this body systematically destroying the Valley's economy. And so to hide behind the courts, to hide behind the bureaucracy, to hide behind the Obama administration, it may sound good to the gentleman from California. But the reality of it is, there are people living in their cars. People don't have food. Food banks are out of food. Workers are trying to have work. Farmers are going bankrupt because of the actions that Mr. MILLER has taken throughout his entire career. It's okay. It's okay to value fish. That's okay. But understand that you're starving families while you value the fish. It's unfortunate.

Mr. Chair, I appreciate my colleagues' support of this amendment.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chair and Members, I understand the frustration of my friends from the Valley on this issue. I've been living it in my district. The last administration devastated the fishing families of the north coast. We haven't had a fishing season up there in years. Again this year it's closed. And it's all because science was put aside in favor of politics. Finally we have science coming in. Science should be allowed to be considered. And as one of the previous speakers, Mr. MILLER, has mentioned, this amendment does absolutely the wrong thing. Not only does it take science off the table again, which led us, in part, to this problem and put the courts in control of these rivers, but it also limits our opportunities to address the overall problem. Without the Federal agencies at the table being able to

bring different options to solve this problem not only for the Valley families but for the coastal families as well, we're limited, and it's not going to bring any answers forward.

It is a mistake to pass this amendment. It won't solve the problem. It will just exacerbate the situation.

Mr. NUNES. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from California has 1 minute remaining. The time has expired for the other side.

Mr. NUNES. Mr. Chair, I appreciate my other friend from California. But the facts are, it's absurd to think that pumping some water out of a delta is killing killer whales, and that's what is in this biological opinion. When the government gets to the point of blaming killer whales for problems, the government has much bigger problems than just this little amendment.

So when you look at the fisheries in California that have been destroyed, the fishing industry was run out of San Diego a long time ago. There used to be Portuguese American fishermen that controlled the tuna industry in San Diego. The Democrats ran them out back in the seventies and eighties. So to now blame little minnows and pumping water to allow people to work are now destroying all the fish and killer whales in the ocean is absurd. We have starving people in the Valley. When is this Congress going to act? When? How many more days? It's been going on for 2 years. How much longer? Is 40,000 people enough people out of work? Do we need 80,000 people out of work? How many more people must starve because of the inaction by this body? That's what I want to know.

□ 1815

The CHAIR. The gentleman's time has expired.

The gentleman from West Virginia does have 15 seconds remaining.

Without objection, each side is allocated extra 15 seconds of time to control.

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I yield 15 seconds to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I just think that it's time for common sense to prevail. I've lost 30,000 jobs in my district as a result of this drought. We may lose generations of farmers. We need to come together with a California solution that is aside from the partisan differences and bring back water for all regions of California.

We're fighting for farmers and farm workers. I would ask common sense to prevail.

Mr. NUNES. I would just say, Mr. Chairman, that I wish that my friend, Mr. COSTA, was the Speaker and not our current Democrat leadership because it's the current leadership that's destroying the economy of the San Joaquin Valley—not Mr. COSTA and Mr. CARDOZA, who are trying their best to deal with their leadership to try to bring some attention to this problem.

Mr. CARDOZA. Mr. Chair, I rise in support of Mr. NUNES' amendment.

The National Marine Fisheries Service's Biological Opinion on the Central Valley Water Project and State Water Project is flawed because it attributes the pumps as a single factor in the decline of fisheries in the Bay Delta. Numerous regulatory measures under the Endangered Species Act, the Central Valley Project Improvement Act and the Clean Water have already resulted in over 50 percent cuts to water deliveries, yet haven't resulted in any improvement to the fisheries. The interim court orders under which this BO is based and a previous Biological Opinion on the delta smelt have slashed deliveries to just 10 percent, and we still are not seeing any improvement to the fisheries.

Implementing the Biological Opinion truly is the definition of insanity—doing the same thing over and over again and expecting different results.

We cannot solve the challenges of the Delta ecosystem by continuing to curtail pumping. We are long overdue for a study that examines all of the factors affecting the Delta, such as non-native fish that are predators of endangered species, climate change, and pollution such as discharged wastewater. It is imperative we undertake a complete study that identifies all of these factors and then set policy according to a complete set of data. To continue to curtail pumping prevents a true solution.

The cumulative effect of this Biological Opinion and other regulatory decisions is crippling small farm communities in the San Joaquin Valley. The San Joaquin Valley has an average unemployment rate hovering near 20 percent, with some communities at 45 percent. This is one more strike in what is an economic disaster for my constituents.

Mr. NUNES. I yield back.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. NUNES).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. The issue which my colleagues from California have brought up is extraordinarily important, and I would like at this time, if I could, to yield to the gentleman from California (Mr. NUNES).

Mr. NUNES. I thank the gentleman from Texas for giving more time to this amendment.

As you know, we had to go to the Rules Committee last night to try to get this amendment made in order. We had many of our colleagues who weren't even allowed to offer amendments. The Republicans have completely been shut out of the process, and I don't know how we're supposed to come to commonsense resolutions to the problems in this country if we don't even have time to debate issues.

My friend, Mr. CARDOZA, wanted to have time to come out and debate these issues; my friend, Mr. COSTA, had to fight with his leadership to have time to come down and debate these issues. What's wrong with the leadership over there? How long are you going to let these people starve? How long? Two years. It's 2 years now since we've asked.

The pumps in California have to run, and sooner or later, your colleagues in Los Angeles—whether they like it or not—the Democrats in Los Angeles who have refused to do anything, their water rates are going up. They're running out of water. San Diego's water rates are up 40 percent this year. So you can run, but you can't hide. This isn't going away.

I would encourage the leadership of this body to get some people with common sense to get control of this body.

Mr. CULBERSON. I yield to the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, we have looked at what's happened in Detroit and other parts of this country where we've had high unemployment rates, and we have been directed to offer a solution in a short period of time. The gentleman from the Central Valley has a situation that is every bit as dire; in fact, it is worse in terms of the unemployment rates in the communities that he services.

We are destroying those communities at the present time and the lifeblood of agriculture in those communities that have stood for well over a hundred years is being irreparably harmed. And the gentleman's amendment—although it may not be the best solution, as he suggested—is the only thing that he has been given an opportunity to present in this body. And he has waited every year that he has been here to try and solve this problem, and yet there has been a failure for us to solve this problem.

And I don't know how we can stand here and say to the gentleman, just wait. Just wait—as he has percentages of unemployment that would shake the rest of this country. When he has people whose livelihoods and whose families' livelihoods are being destroyed on a daily basis, he has heard nothing but silence, silence in this House and from this administration.

I would hope that we could support his amendment. It may not be the perfect amendment, I agree. But it's the only thing he has been given an opportunity to bring to this floor, and maybe it will be given an awareness of this House and this administration that you can't throw away a part of the Central Valley of California and say, These are disposable people; these are disposable families; these are disposable farms.

Mr. CULBERSON. How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman has 2 minutes and 15 seconds.

Mr. CULBERSON. I yield to the gentleman from California (Mr. NUNES).

Mr. NUNES. My friend from California, Mr. Lungren, is exactly correct. This is all we can do. The Democrat majority, they're correct. This isn't a solution to the problem, but it's all we can do. Maybe we can have a unanimous consent agreement tonight. I have a bill ready to go. We can vote on it tonight so we can get the pumps back on so we can get water to these people so they can go back to work and provide for their families.

Mr. Chairman, a guy in a food line in Mendota not long ago told the national media he didn't want to be in the food line. He only wanted a job to provide for his family. The Democrats control Congress. The Democrats control the White House. How much longer does the guy have to wait to feed his family? How many more jobs must we lose? How many? I want to know. How many jobs should we lose? Is 40,000 jobs in the San Joaquin Valley not enough? Should we go to 80,000 jobs? 150,000 jobs? Should we put a million acres out of production?

You guys are in control. Why don't you tell us how many acres you want out of production tonight so we can end the misery. Tell the people, Look, you've got to move out of the valley. Maybe they can move to the bay area. Maybe there would be work there for them. Maybe they'll get green jobs. I don't know.

But right now, a half a million acres are out of production. So how many more acres are we going to put out of production? How many more people are going to starve because of the inaction by the Democrats in this body? How many more? That's all I want to know.

I will yield if anyone wants to answer me how many jobs we're going to lose.

The CHAIR. The gentleman from Texas controls the time.

Mr. NUNES. Looks like we won't get an answer once again, Mr. Chairman, but I want to thank my Democrat colleagues, Mr. CARDOZA and Mr. COSTA, for supporting this amendment. I know it's been hard for them, and I appreciate their friendship and their work on this issue. I also want to thank the Republican leadership in this body for supporting this amendment.

The CHAIR. The time of the gentleman from Texas has expired.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Members are reminded to please address their remarks to the Chair.

Mr. MOLLOHAN. I move to strike the last word.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, Members of the House, you know we're here in this situation because a court ruled after the last administration trampled through the

Fish and Wildlife Service, the National Marine Ocean Service, and altered scientific findings, studies, and opinions that we could no longer conduct the business of the Central Valley Project. I didn't see my friends on the other side of the aisle raise one objection at the time that those actions were taking place, at the time that criminal behavior was taking place.

I didn't see them raise one objection when the northern rivers were destroyed and fishery seasons have been closed for years and families have lost their businesses, lost their livelihood—whether they were going to seed the fish or they were small businesses on the north coast or small businesses on the Oregon border—and those political decisions were made, and they devastated the salmon runs. I didn't see that happen.

We have seen now, as the environment has deteriorated in the San Francisco Delta and bay area, small businesses have closed up, many people have lost their livelihoods; and, yes, it's very intense in the Central Valley.

But I don't see some of my colleagues on the other side who represent areas that have a hundred percent of the water. In fact, some of the valley farmers have 70 percent of their allocation in this drought year.

Somehow to blame this on this moment, this administration that's been in office for 5 or 6 months, when in fact for 8 years there was a design to exploit this system by opening up the pumps, devastate the system, and now those chickens have come home to roost and those illegalities have been found out.

The court has asked for direction. This administration put together a biological opinion. It was peer reviewed, and they've offered that up to begin the discussions of how we settle some of these problems in the delta, south of the delta, and north of the delta. That now is going to be thrown into chaos if this amendment succeeds to become law because then we will not have those tools available to us.

So we'll go into another year that may be a drought and we will not have the system-wide approach to dealing with that to help the families in the Central Valley, in southern California, in northern California. These are all of the same families. These are all the same people who are looking for work, looking for jobs. But the fact of the matter is, if you devastate this water system, they all pay the price.

So now we're trying to recover from 8 years of mismanagement, from 8 years of illegal activity, from 8 years of throwing science out the door, and now we're left with that wreckage. There's a lot of cleanup to do after this Bush administration, and this is one of those projects. And this project now has to be rehabilitated, this project has to be brought together so that the Central Valley Project can serve its clients, can serve the needs of the whole State of California. And if it doesn't happen

that way, it's not going to work politically, it's not going to work environmentally, it's not going to work scientifically, and it's not going to work economically.

We've just been through 8 years where people tried to segment this state-wide project into little bits of pieces for their advantages, and if they had enough politics on their side, they took that advantage whether it was supported by the law or not. And this is the carnage that has been left behind because we missed 8 years of opportunity to rebuild this system so that it could serve the needs for which it was designed.

That's the tragedy of what has taken place here. That's the tragedy that we're trying to overcome. That's the tragedy that will be compounded by the Nunes amendment if it's adopted because it will set all of this back many, many months—if not years—in this effort to rebuild the Central Valley Project of California so it can meet the demands of which are put upon it.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank the gentleman for yielding.

I want to add that this should not be about choosing one job or one person's job over the job of another person. As I mentioned earlier, many, many fishing families on the north coast of California and the coast of Oregon have been displaced. We have lost boats, lost businesses, lost fortunes, lost opportunities, and all because the science was scrapped. The last administration pushed forward a water policy that was illegal, that didn't pay any attention to anything other than politics.

□ 1830

In the Klamath River in my district, that water policy brought us 80,000 dead spawning salmon. It absolutely closed the fishing season on the north coast. It's closed again this year. It's closed on the Oregon coast. And it's all because politics was put ahead of science. You can't do business that way.

The only way to fix this is to bring all of the agencies together, working on the science, to come up with the mitigation that will work to save jobs not only in the valley, but on the coast and everywhere else.

I ask that we vote against this terrible amendment and work together.

AMENDMENT NO. 111 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 111 offered by Mrs. BLACKBURN:

At the end of the bill, before the short title, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 534. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 5 percent.

The CHAIR. Pursuant to House Resolution 552, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I do have a great amendment at the desk, and I think it speaks to the path we need to travel in this body.

As we know, spending is out of control here in Washington, D.C. The American people know that this government doesn't have a revenue problem, it has a spending problem. And we are hearing it from constituents all across this Nation as they begin to look at how this should be addressed and talk to us about how we think it ought to be addressed.

Well, Mr. Chairman, one of the things that we do know is that in our States—which are great labs for bringing forward entrepreneurial ideas and innovating ways to address problems in the public sector—many times they will move to across-the-board spending cuts. Certainly, in my State of Tennessee, our Democrat Governor went in and made a 9 percent across-the-board spending reduction because he had to get in there and address the out-of-control growth of TennCare, our public option health care delivery system that many want to replicate nationwide.

Now, throughout our Nation's history, we have had times when this body and our Commanders in Chief have sought to also do across-the-board spending cuts. At the onset of World War II, President Roosevelt came in and made a 20 percent across-the-board cut in nondefense spending. President Truman, with the Korean War, made a 28 percent across-the-board spending cut. And he did that, Mr. Chairman, because budgets and appropriations should be about priorities.

At this time in our history, when we see so many families and so many businesses struggling, when we see appropriations and spending out of control here—certainly appropriations over the past 3 years for our CJS appropriations has increased by over 45 percent, this year alone nearly 12 percent—the spending binge is unacceptable. And on behalf of my constituents who are sitting at the kitchen table and many times cutting 50 percent, we need to move forward with spending reductions.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, an across-the-board cut to this bill of 5 percent is really disastrous. As a general proposition, cuts that are indiscriminate affect every account in a

bill—whether it's this appropriation bill or any other appropriation bill—and one of the best reasons to oppose them is for that reason, they're indiscriminate. They affect every account in the bill, and that, of course, means that someone has not done a thoughtful exercise in going through and trying to find out where there might be a few extra dollars with regard to this account or that account.

I would also suggest that that's exactly what this subcommittee has done, both the majority and the minority, and we have done it in close cooperation with the minority as we have worked this bill this year and brought it to the floor of the House. We have looked at every single one of these accounts. We have done exactly what this amendment does not do. We have done the hard work of thinking about where dollars should be applied, where the need exists, and where that need exists, we've increased funding in accounts, not indiscriminately, but very consciously through a thoughtful process.

Now, just a couple of examples of what a 5 percent cut would do. In the Department of Commerce, a 5 percent reduction would result in the complete elimination of \$370 million of Census contingency funding, significantly increasing the risk of unforeseen events impacting field operations with regard to the census.

Mr. Chairman, we are on the brink of conducting the 2010 census. The census has had a lot of starts and stops along the way. Those matters have been corrected, and we are in a position to have a good, accurate census conducted in this country. This is the wrong time to take any cut with regard to Census.

A reduction of \$230 million to NOAA would eliminate the entire National Environmental Satellite Data and Information Service, or alternatively, literally wipe out all salmon and endangered species funding.

Mr. Chairman, a reduction of \$92.4 million to the rest of the title 1 would eliminate the Minority Business Development Agency and the National Telecommunications and Information Administration salaries and expenses, as well as Public Telecommunications Facilities' planning and construction account. Those are accounts that directly impact people sitting around tables in kitchens across the country.

For NASA, this cut would significantly reduce needed contingency in the development of all new NASA missions, missions for which we just heard Democrats and Republicans speak about with great concern.

The National Science Foundation is another example. This drop in government support for research and development, on top of the falloff in corporate research investment and private foundation support, would stress the Nation's research universities at the time that this country needs to invest in research, needs to invest in development so that we're at the cutting edge of the new economy as we go forward, which

is at the very heart of President Obama's new economic recovery plan and strategy.

An across-the-board cut, an indiscriminate cut of any kind—5 percent, 1 percent, 2 percent—I consider it to be mindless. It's not a careful consideration of fashioning fiscal policy.

I hope that this amendment will be opposed by the body.

Mr. Chairman, I reserve the balance of my time.

Mrs. BLACKBURN. May I inquire as to how much time is remaining?

The CHAIR. The gentlewoman has 2¾ minutes remaining.

Mrs. BLACKBURN. I appreciate so much the comments of my colleague, and I am so thrilled that he went through a litany of programs.

You know, it is so indicative of how those who feel like they have unfettered access to the taxpayers' money, that they have first right of refusal on that paycheck that people go to work and work hard to earn so that they can do it for all of these grandiose-sounding programs.

Well, isn't it amazing, with a 12 percent increase in spending, a 5 percent reduction is still an increase. I mean, I just love this new math that Washington, D.C., spits out across this Nation. You would still have an increase. I mean, it is just amazing to me. You just don't get it. You just don't get it.

We have people in my district, we have people across this country, Mr. Chairman, they are losing their jobs. They are sitting at the kitchen table right now watching the TV and going, These people, these elites in Washington, they do not understand it. We're cutting our budget 50 percent.

I have small business owners that are telling me, We're trying to figure out how long we can keep the doors open and how much we can afford to lose every month, and you want to tell me about endangered species and reducing funding 5 percent for endangered species, or doing away or holding back or maybe not moving forward?

You know something, there are men and women in this Nation every day that delay hopes and dreams and aspirations because the liberals never lose their appetite for the taxpayer money. And they meet their obligation to the tax man. And they instruct us, Mr. Chairman, to come here and make good use of those dollars. That is what we are elected to do. And you want to tell me you can't find \$100 million? You can't find a 5 percent reduction? You can't make this reduction out of a \$64 billion allotment of money? You can't find 5 cents out of a dollar?

The American people are sick and tired, they are sick and tired of reckless runaway spending. They are demanding that it come to a halt. A 5 percent sensible reduction is the way to go about it.

I would encourage all of my colleagues to join me. Let's make a 1 percent, a 2 percent, a 5 percent, and then allow a way to move forward in a more fiscally responsible manner.

Mr. Chairman, I yield back the balance of my time.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Members are again reminded to direct their remarks to the Chair.

Mr. MOLLOHAN. I yield back the balance of my time, Mr. Chairman.

The CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT NO. 71 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I have an amendment made in order under the rule preprinted in the CONGRESSIONAL RECORD at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 71 offered by Mr. BURTON of Indiana:

At the end of the bill, before the short title, insert the following:

SEC. \_\_. None of the funds made available in this Act may be used to relocate the Office of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, this amendment is very straightforward. It simply says that "none of the funds made available in this act may be used to relocate the Office of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President."

In February of this year, after Senator JUDD GREGG, a Republican, was nominated by President Obama to be the Secretary of Commerce, the White House announced that control of the Census Bureau and the 2010 census would be removed from the Commerce Department and placed in the hands of the White House staff. Senator GREGG eventually withdrew his name from consideration, in part because of his concerns about taking control of the next census out of the hands of the Commerce Department and putting it into the hands of political operatives at the White House. Contrary to Democratic claims, there was no historical precedent for placing the census under the control of political operatives on the White House staff.

According to former Census Bureau Director Bruce Chapman, who directed

the Census Bureau from 1981 to 1983 under President Reagan, he said, "The White House and its congressional allies are wrong in asserting that the Census in the past has reported directly to the President through his staff. Directors of the Bureau often brief Presidents and their staffs, but as a former director under President Reagan, I don't know of any cases where the conduct of the Bureau was directly under the White House supervision; that includes President Clinton in 2000, Bush 41 in 1990, and Carter in 1980."

The Obama administration has since backtracked and attempted to downplay its role regarding the census. And to his credit, the current Secretary of Commerce, Gary Locke, has expressed his intention to not cede control of the 2010 census to the White House during his confirmation hearings.

The U.S. Constitution, article I, section 2, clause 3, as modified by section 2 of the 14th Amendment, requires a population census every 10 years to serve as the basis for reapportioning seats in the House of Representatives. The Constitution stipulates that the enumeration is to be conducted "in such manner as they [Congress] shall by law direct."

Congress, through title 13 of the U.S. Code, has delegated this responsibility to the Secretary of Commerce and, within the Department of Commerce, to the Bureau of the Census.

□ 1845

Let me be very clear on this point: The Constitution stipulates that Congress shall direct how the census is to be conducted and Congress delegated this responsibility to the Bureau of the Census, not the Office of the White House Chief of Staff.

The United States census should remain independent of politics. It should not be directed by political operatives working out of the White House. Such a move is especially troubling considering the census at the time was considering entering into a national partnership with ACORN, an organization ripe with internal corruption and that was responsible for multiple instances of vote fraud in the 2008 presidential election.

Asking an organization like ACORN to help recruit the 1.4 million temporary workers that will go door-to-door is akin to inviting the fox into the henhouse. An estimated \$300 billion in Federal funds are distributed annually on the basis of the census data, according to the Census officials. This is very important, because all the people in this country are affected by this money.

The Census Bureau is staffed by experienced and talented professionals who are leaders in the field of statistics. In order to produce a fair, accurate and trustworthy count during the 2010 census, the Census Bureau needs to remain an agency free from political or partisan interference.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to my friend from Indiana's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I am sympathetic to the gentleman's interest. But I don't share his concern. There was some talk earlier this year about the White House taking the census or taking a leadership role in the census. We have had public assurances and private assurances that indeed the White House has no such intention.

The fact is that the census was admittedly mishandled during much of the Bush administration, so that toward the latter part of the administration everybody was scrambling to try to repair the damage that had been done. To its credit, the Department of Commerce, the Bureau of Census, conceived of a census in 2010 that would involve as much technology, as much automation, as possible. The vision was to be accurate and to be less expensive.

Unfortunately, the contractor and the Secretary of Commerce actually took a lot of responsibility for the agency, for the contractor not having correct instructions. But in fact the job was not well-performed, whether it was the fault of the Commerce Department and the bureau or whether it was the contractor.

The point is that we have spent a lot of time during the last years of the Bush administration and certainly this year ensuring that we corrected those problems, that we got ahead of those problems, so that we could rely on a credible, accurate census. Those adjustments have been made.

I would just assure the gentleman that there is no inappropriate involvement by the White House. I absolutely embrace his notion that the Congress should be fashioning it, and I think we are doing that with quite a bit of oversight. I know this appropriations subcommittee has been conducting a lot of oversight.

So my remarks in opposition to his amendment I hope are more in the way of assuring him that we are on top of this, and we are looking at it. I know there is a lot of concern. I hear it on radio, I see it on television, certain talk radios are obsessing with regard to ACORN, and I think, personally, in many ways demonizing a whole organization for the conduct of a few.

Yes, ACORN could be a part of the 30,000 partnerships that the Census Bureau will embrace to reach out to communities, many of them hard-to-identify communities. I know the gentleman shares the goal of having as accurate a census count as possible, and I know the gentleman understands that there are hard-to-access communities, and I am sure that the gentleman embraces the idea of partnerships to reach out and give assurances to those communities so we can count as many folks as possible.

There is no money associated with ACORN through those partnerships.

So, again, I oppose the gentleman's amendment, and my comments are such that I oppose it more to reassure him that we are all about an accurate, just census, and we intend to do our part to ensure that.

I reserve the balance of my time.

Mr. BURTON of Indiana. Mr. Chairman, how much time do I have remaining?

The CHAIR. One minute.

Mr. BURTON of Indiana. Mr. Chairman, I believe Mr. MOLLOHAN is well-intentioned. I believe he is an honorable man. But my concern is that there could be a change of attitude by some in the White House.

I appreciate that the White House has reconsidered and reversed their decision on taking control of the census, but unless we pass this amendment, there is nothing to prevent the White House from reversing itself once more, and that concerns me.

I am encouraged because the Secretary of Commerce, Mr. Locke, has expressed his intention to not cede control of the 2010 census to the White House during his confirmation hearings. But, nevertheless, to make sure that Congress retains its right to control the census and the \$300 billion that will be disseminated as a result of the census, I think we need to make it very clear by passing this amendment that it is up to the Congress and not the White House to make this determination.

With that, I will yield back the balance of my time.

The CHAIR. The gentleman from West Virginia has 1 minute remaining.

Mr. MOLLOHAN. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MOLLOHAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 97 OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 97 offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. \_\_. Appropriations made in this Act are hereby reduced in the amount of \$644,150,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.



Mr. PRICE of Georgia. Mr. Chairman, this amendment is again another very simple amendment. It would reduce the total appropriations in this bill by \$644,150,000.

Now, you might ask Mr. Chairman, how did I come up with that number? Well, that is 1 percent of the bill. That is right, \$644,150,000 is 1 percent of the bill.

So what this amendment asks is, is this Congress responsible enough to be able to decrease the amount of spending in this bill by 1 percent, a penny out of every dollar?

Now, that is not 1 percent of last year, Mr. Chairman. That is 1 percent off the proposed, and the proposed is an 11.6 percent increase over last year. That means we would go from an 11.6 percent increase to a 10.6 percent increase.

Mr. Chairman, do you think we can handle that? Do you think we can handle that?

There are a lot of numbers out there across this land. I don't know if you have been paying attention. Outstanding public debt as of today, \$11.4 trillion. Outstanding public debt per American citizen, \$37,231.22. Average increase in our national debt every single day because of the money spent by this Congress and this administration, \$3.82 billion a day—a day, Mr. Chairman.

The country's gross domestic product fell by 6.1 percent in the first quarter. The President's budget proposes the 11th-highest annual deficits in United States history. The unemployment rate out there is 9.4 percent, Mr. Chairman. That is higher than the administration assured the Nation it would be if we did nothing—if we did nothing when the non-stimulus bill was passed, 9.4 percent.

Mr. Chairman, the Federal tax revenues in this Nation dropped 34 percent in April 2009 compared to 1 year ago—34 percent. Mr. Chairman, one might be able to just extrapolate that the American people are tightening their belts by 34 percent. Do you think this Congress can tighten its belt by 1 percent?

A penny out of every dollar, that is all we are asking. And it is not going across-the-board. It is not that meat ax that my friend from West Virginia talks about. It is allowing the department itself to figure out how to save a penny out of every dollar that it spends. We ought to be able to do that, Mr. Chairman.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, the gentleman's amendment is a 1 percent cut. The amendment we argued a few minutes ago was a 5 percent cut. The gentleman's amendment is arguably just five times less destructive to programs that this subcommittee on both sides of the aisle have carefully bal-

anced as we have worked months and months in drafting this legislation.

The gentleman is correct; it is a 1 percent cut to the bill, as written. The agencies could look at it and they could apply the cuts as they saw fit. But understand that they are cuts.

Imagine a couple of places where these cuts would be felt. For example, safety and security of inmates and corrections officers in Federal prisons. It is an area that we have been working on for several years to understand exactly what the needs are. The bill is carefully drafted to provide adequate funding to the Bureau of Prisons to ensure safety and security for inmates and corrections officers in Federal prisons. A 1 percent cut would be \$71 million if applied to BOP.

A 1 percent cut would eliminate \$345 million in new funds to safeguard the Southwest border. It would undermine the Southwest Border Initiative perhaps, Mr. Chairman, if that is where the cuts were taken.

There is \$3.4 billion in grant funding for State and local law enforcement assistance, including \$298 million to put additional cops on the beat, \$100 million for prisoner reentry initiatives, \$94 million for tribal law enforcement assistance. All of this represents funding that again has been carefully fashioned, carefully considered and carefully appropriated by the appropriations subcommittee and by the full committee as we moved this bill to the floor. A 1 percent cut would undermine any or all of those programs by that amount.

Mr. Chairman, for all of those reasons, I oppose this amendment.

I reserve the balance of my time.

The CHAIR. The gentleman from Georgia has 2½ minutes remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the gentleman from West Virginia's comments, but let's be honest. A cut? A cut? The amount of money spent last year in this area of the budget, \$57.7 billion—\$57.7 billion. The amount in this bill to spend, an 11.6 percent increase, remember, Mr. Chairman, \$64.4 billion. My amendment, what would we spend? \$63.8 billion.

Remember, Mr. Chairman, last year we spent \$57.7. This year it is 63.8 under this amendment. 57.7, 63.8—that's a cut? Mr. Chairman, a penny out of every dollar.

This definition of a cut is like when our teenage son had an allowance each week of \$1, and he came and said, Dad, you think I could have \$2 a week? I said, No, but we could probably make it \$1.50 a week. He said thank you very much. But under this definition, that would be a 50-cent cut. That would be a 50 percent cut.

Mr. Chairman, let's be serious. \$57 billion last year, \$64 billion this year. Do you think we can find a penny on the dollar and move it to \$63.8 billion? Are we that irresponsible that we can't do that?

There is 9.4 percent unemployment across this land. People are having a

difficult time putting food on the table, wondering whether they are going to be able to cover their health care costs, wondering whether or not they are going to be able to send their kids to school. The United States is in danger of losing its Triple A credit rating due to the accumulation of over \$1 trillion in debt.

Mr. Chairman, when are we going to start? When is this fiscal responsibility out of this crowd going to start?

A penny out of every dollar. I would suggest, Mr. Chairman, that that is a minimal amount, a reasonable amount, an amount that the American people look at their folks here in Washington, their representatives here in Washington, and say, Why on Earth can't you find that? Why can't you find it?

We ought to be able to do this. In fact, not doing this is morally reprehensible. Not doing this is irresponsible.

□ 1900

Not doing this is an abrogation of our duty. Not doing this is a woeful lack of leadership.

I yield back the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, the use of the word "irresponsible" gives me pause because if the Appropriations Subcommittee for Commerce, Justice, Science has done anything during the last 6 months, it has responsibly considered the administration's requests with regard to funding of these accounts. Indeed, our Appropriations Committee has cut \$200 million from the administration's request. At the same time we have filled a lot of holes that the administration left such as \$300 million for SCAAP. We filled that hole because the administration requested zero for SCAAP. On the floor yesterday we added \$100 million more to SCAAP because it has such broad bipartisan support in this House.

We restored \$400 million for State and local law enforcement, money to help our local police, our local sheriffs, our State police, as they do their job in very tough times protecting our citizens back home.

This legislation has been very responsibly considered, and while our appropriation is less than the President requested, it still goes a long way to adequately fund all the accounts in the bill.

Now, the gentleman makes light of a 1 percent cut. But understand, a 1 percent cut in a \$64 billion bill is \$644 million. \$644 million is \$200 million above the SCAAP hole that we had to fill. It's just \$200 million above the \$400 million in the State and local law enforcement assistance grants that we filled.

So the gentleman, 1 percent, when it's said like that, sounds like just a little bit. But understand, this bill that we bring to you to the floor today is below the President's request and, at the same time, we have provided funding for SCAAP to the tune of \$400 million above the President's request, which was zero.

I can tell you, State and local enforcement across the country, and I would just imagine in the gentleman's district, are very much appreciative of that support as they deal with crime in tough economic times when local government and State government are having trouble meeting those budgets in order to fund that safety.

A lot of this is ideological, and the gentleman looks to these domestic accounts to achieve these reductions. I would point out that these accounts are not flush with funding. Indeed, our funding in this bill is below the President's request.

I yield back the balance of my time, Mr. Chairman.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 100 OFFERED BY MR. JORDAN OF OHIO

Mr. JORDAN of Ohio. I have an amendment at the desk, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 100 offered by Mr. JORDAN of Ohio:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Appropriations made in this Act are hereby reduced in the amount of \$12,511,000,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Ohio (Mr. JORDAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JORDAN of Ohio. I thank the chairman, thank our ranking member and the chairman of the subcommittee.

The chairman of the subcommittee was just boasting about the fact that the committee reduced the amount of dollars appropriated in this bill from what the administration had requested.

I think it's important to point out that request came after we have had the stimulus, the omnibus, the second tranche of TARP. I mean, all the spending that's taken place in the first 6 months of this Congress. I don't know that there's anything to really brag about.

So this amendment actually goes back to what this Congress was allocated and what was being spent in the various agencies that fall under the bill, just 1 year ago. It would reduce the spending in this bill by \$12.511 billion, again, exactly what we were spending prior to the stimulus, prior to the omnibus.

I think it's really all about preserving opportunity and the greatness

of this country for our children and our grandchildren.

And, Mr. Chairman, I would say this: the American people get it. They're tightening their belts, as many speakers have already indicated here on the floor this evening. They're tired of this blank check, this bailout mentality that has got a hold of Washington. They're sick of the bailouts. They're sick of the deficits. They're sick of the debt that we keep piling up.

Think about the number of different bailouts: we had the financial industry. We had the auto industry bailout. We have a deficit that's approaching \$2 trillion this fiscal year. We have a national debt over \$11 trillion slated to move to \$23 trillion over the next decade.

I always think it's important just to figure this out. At some point, I was an economics major. One of the first things you learn in economics is there's no free lunch; it has to be paid back. \$23 trillion we're slated to get to over the next 10 years.

To pay that back, think about what has to happen. We first have to balance the budget. We first have to get to zero, actually balance a budget, not spend more than we take in. And then we have to run a surplus of \$1 trillion for 23 straight years, and that doesn't even count the interest. That's what we're saddling our kids and our grandkids with.

One of the things that makes this country great, one of the reasons we're the greatest Nation in history, is because parents make sacrifices for their kids so that when they grow up they can have life a little better than we did. And then they, in turn, when they become parents, do the same thing for the next generation. And that cycles continues, and that's why we're the greatest Nation, economic power in human history.

When you begin to turn that around and go the other direction, that's where we're having problems. And, frankly, that's where we're at right now. And that's why it is so important we get a little discipline in how we budget and spend the taxpayer money.

I had a coach and teacher in high school. He taught chemistry. Toughest teacher in the school. Taught chemistry and physics. Toughest coach in the State, I felt like. And talked about discipline every stinking day. I got tired of hearing about it. He said, you've got to have discipline if you want to get anything done. You've got to have discipline if you want to succeed in athletics. And he had a great definition. He said, discipline's doing what you don't want to do when you don't want to do it. And basically that meant doing it his way when you'd rather do it your way. It meant doing things the right way. It meant doing things the tough way when you'd rather do it the easy way, the convenient way.

The easy thing to do is to spend taxpayer money. The disciplined thing,

the tough thing to do is say, You know what? We're going to limit overall spending, and we're going to have some priorities and make some tough decisions because, if we don't, our kids and our grandkids are going to inherit a debt that they cannot repay. And that's where we are today in America. That's why it's important we adopt this amendment and begin to get a handle on the out-of-control spending.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I'd just point out that this is a 19.4 percent reduction in the funding of the bill. And that equates, by my math, to \$12.5 billion below this bill's recommendation. This committee's recommendation to the full House would be \$5 billion below the 2009 funding level.

Understand that, just right off the top, this subcommittee has a \$4 billion additional obligation to fund the census as we move into 2010. That immediately and graphically demonstrates the effect this kind of a cut would have on the bill.

For all the reasons that I have particularized in debating other percentage cuts to the funding in this bill, I oppose this amendment, Mr. Chairman.

I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, just let me say this: the gentleman makes it sound so dramatic. It takes us right back to what we were spending 1 year, less than a year ago, less than a year ago to what these Departments were operating, the programs were operating on.

I mean, think about this. A year ago Tiger Woods was getting ready to win the U.S. Open, just like he is this week.

Brett Favre was thinking about coming out of retirement, just like he is this week. One year ago.

One year ago Yankees fans and Red Sox fans didn't like each other, just like today. I mean, this is not a big deal. This is going back to where we were less than 1 year ago.

A lot of families out there, a lot of families across this country are having to do that. A lot of businesses are having to do that.

Why is it during tough economic times the only people who have to suck it up are the American people and small business owners?

Why can't government ever have to suck it up?

That's what this is about. This goes back to where we were less than 1 year ago.

I yield back the balance of my time and urge a "yes" vote on the amendment.

Mr. MOLLOHAN. Mr. Chairman, it's just a small point, but I don't know what numbers the gentleman is looking at from 1 year ago, and it doesn't affect his overall point, which I totally

understand. He wants to reduce the bill by a significant amount of money.

But 1 year ago the accounts funded in this bill totaled \$57.651 billion. As I understand the gentleman's cut, and as we have done the math on it, his cut would take us down to \$52 billion, which would be \$4 billion or \$5 billion below.

Mr. JORDAN of Ohio. Would the gentleman yield?

Mr. MOLLOHAN. I yield.

Mr. JORDAN of Ohio. I appreciate the gentleman yielding. That's kind of you.

A year ago, in my recollection, we were functioning under a continuing resolution, which would be the 2008 fiscal year spending level. That's why I'm saying 1 year ago we were functioning under exactly what this amendment would take us to, not the 2009, which was done in the omnibus just a few months ago. We were functioning on the 2008 continuing resolution.

Mr. MOLLOHAN. I will reclaim my time. I'm looking at the actual number here, but the gentleman's point is well taken.

Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JORDAN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MOLLOHAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 114 OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 114 offered by Mr. REICHERT:

At the end of the bill (before the short title), insert the following:

#### TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. \_\_\_\_ For "Office on Violence Against Women—Violence Against Women Prevention and Prosecution Programs" for the Supporting Teens through Education and Protection program, as authorized by section 41204 of the Violence Against Women Act of 1994 (42 U.S.C. 14043c), and the amount otherwise provided by this Act for "Departmental management—Salaries and expenses" is hereby reduced by, \$2,500,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Washington (Mr. REICHERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, after listening to the discussion back and forth here for the last hour or two, I would hope that my amendment would not be quite so contentious. And it is my great hope that we can come together in agreement on the amendment that I'm about to offer.

I am suggesting that we take \$2.5 million from the Department of Commerce salaries and expenses account, which is totaling now \$60 million and is receiving a \$7 million increase. So to remove \$2.5 million from a \$7 million increase from a \$60 million budget, to Support Teens through Education and Protection program, STEP, which helps high schools collaborate with domestic violence and sexual assault service providers, law enforcement, the courts and other organizations to improve school safety. This vital program was authorized by Congress under the VAWA Act, Violence Against Women Act, but was never funded.

Our schools should be safe havens for our children to learn and grow. Unfortunately, violence in schools has left many kids afraid of the very places we send them to learn and grow. They increasingly find themselves becoming victims of dating violence, bullying, harassment, gang-related violence in the classrooms, in the hallways and in the restrooms. On the buses, in school yards, anywhere in the area of the school, this law would apply. When violence occurs in our schools, our children find themselves in difficult situations. They go to school, where they spend 6 to 8 hours a day with the very people that have perpetrated the crime against them, placing them in very dangerous situations.

For example, a 16-year-old girl breaks up with her 16-year-old boyfriend in Texas at a high school, and during the day she goes to her teacher and she says, I'm afraid. This boyfriend of mine is becoming more and more violent and I'm afraid for my safety. Can you help me? Two hours later, this young lady is found dead in the hallways of her own school.

□ 1915

In 2007, at a high school in Seattle, a young girl was assaulted, was dragged into the boys' restroom and was assaulted even further. The girl pushed herself away from the suspect and ran away and told the teachers. She reported the incident to the teachers. She told the principal of the school. The school did nothing. For 3 weeks, this young lady had to go back to school and had to face these three individuals, these three individuals who assaulted her. They did nothing. They didn't report it to the police. They didn't tell anybody.

Our schools need more effective procedures to address these problems when they occur amongst students. Teachers, coaches and counselors have important roles to play in the lives of our children, as we all know, and they can be key to curbing violence among our youth. Studies show that 25 percent of the teens say they would confide in teachers or in school counselors if they became involved in abusive relationships or were assaulted. Unfortunately, school personnel are not currently trained or equipped with the knowledge or with the resources needed to address these issues effectively in school.

By supporting my amendment, we can help schools address bullying, harassment and sexual violence involving teen victims. The STEP program can train school personnel; it can provide support services for students who are experiencing abuse; it can help schools foster appropriate and safe responses to the affected students.

The National Education Association, the National Network to End Domestic Violence, Break the Cycle, the National Center for Victims of Crime, and the Family Violence Prevention Fund have endorsed this amendment. I urge my colleagues to support this common-sense amendment to help create a safe learning environment for our children across this country.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise to claim the time in opposition, although I am not in opposition.

The CHAIR. Without objection, the gentleman from West Virginia is recognized for 5 minutes.

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I am thrilled to support an amendment from the minority, and I want to compliment the gentleman from Washington for his concern.

He is absolutely correct. This program is authorized under the Violence Against Women legislation. It was not funded in this bill. There are a number of programs in VAWA and we found it difficult to fund all of them. Every year, we want to add to them. The gentleman's contribution to the bill and to fighting violence against women is real, and we appreciate it. We accept the amendment.

Domestic and dating violence is very serious and can be dealt with through the program that the gentleman is advocating, so we thank him for his contribution, and we look forward to working with him as we move this legislation through conference to ensure that his efforts here are retained.

I reserve the balance of my time.

Mr. REICHERT. Mr. Chairman, I want to take a moment just to thank the gentleman for his kind words of support. The majority's support of a minority amendment is a pleasant change in the atmosphere over the last day or so, so we appreciate that.

I yield back.

Mr. MOLLOHAN. I thank the gentleman.

I yield back, Mr. Chairman.

The CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. REICHERT).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. REICHERT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 59 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 59 offered by Mr. BROUN of Georgia:

At the end of the bill, before the short title, insert the following new section:

SEC. 535. None of the funds made available by this Act shall be used to establish or implement a National Climate Service.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. I yield myself as much time as I may consume.

Mr. Chairman, I rise today with an amendment which will strip funding from the bill that is aimed at implementing a new National Climate Service. At best, this new Federal agency is duplicative. At worst, this is an egregious waste of taxpayer dollars for an endeavor which is not even based on sound science.

Mr. Chairman, there is no consensus among policymakers, academics, researchers or bureaucrats about how a National Climate Service should even be structured, and yet here we are funding it. This lack of agreement was not more evident than during a Science and Technology subcommittee hearing just last month regarding the development of this exact agency.

At that hearing, four alternate structured proposals were presented by different witnesses. They ranged from merging existing agencies to the creation of a nonprofit entity to provide this research, but each and every one of them was shot down.

In order to implement any entity of this nature, we must first be sure that the infrastructure for monitoring our weather and climate patterns is already in place, but that infrastructure is currently not there. In fact, according to the National Academy of Sciences, the U.S. climate observing system is in rapid decline. This includes both our ground-based and our satellite-based measuring systems. Updating these systems and making sure of the information they provide should be the foremost priority when it comes to monitoring our climate.

In fact, just today, in the Committee of Science and Technology, we just heard how the polar orbiting satellite system has tremendous cost overruns, how they're not flying the satellites and how NOAA and the Defense Department, particularly NOAA, desperately need these satellites to help them give us proper weather predictions. Yet we're not funding that. We're funding this National Climate Service, and we're putting off these pressing needs. We're focusing on establishing yet another bureaucratic web to navigate through. We're doing nothing more than decreasing efficiency and increasing Federal red tape.

What we know for sure is that this new, unnecessary agency will grant

broad-sweeping authority to the executive branch with little congressional input. That's it. The details are being left up to some Federal bureaucrat. As we all know by now, the devil is in the details.

Additionally, there is an absolute dearth of information regarding the costs and benefits of setting up such an entity. Without such basic knowledge, how in the world can we, in good conscience, fund this rudderless endeavor? We have no assurances that this National Climate Service will turn out to be anything more than a new regulatory agency for the proposed tax-and-cap scheme, but maybe that's really the goal here.

I do not like to think ill of the intentions of my colleagues on the other side of the aisle; but with such an ambiguous mandate with, obviously, little congressional oversight, what else are we to assume?

Time and time again, this Congress has jumped headfirst into the deep end of issues which we still know little about. The Wall Street bailout, the auto bailout, the stimulus, and now the National Climate Service are all prime examples of how Congress' eyes are bigger than its grasp.

So I ask my colleagues to please support my amendment. Let's reevaluate this attempt at funding an impudent new agency. Let's stop the funding for the new National Climate Service. Thank you, Mr. Chairman.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I would first point out to the gentleman that I am not sure this is the bill on which the gentleman should make his arguments against a National Climate Service.

It is true that there is considerable discussion within the administration and outside of government in consideration of a National Climate Service and also in the authorizing committees here in the Congress.

It is also true that we have some money in this bill—for research and satellites—that is in anticipation of an authorization of a National Climate Service. That money is also needed by the Weather Service. Of course, the gentleman understands we fund the National Weather Service through the Commerce Department accounts.

To really try to impact or prevent the creation of the National Climate Service, I would suggest to the gentleman that this is the wrong place to go. We ought to respect the authorizing process. The gentleman, I would assume, will direct his efforts with regard to frustrating the creation of a National Climate Service to the authorizing process—and the gentleman may serve on that committee, I don't know. That's the place where, respect-

fully, where you could better direct your efforts. An appropriations bill, particularly in one in which the organization is not even stood up, is, I think, the wrong place for the gentleman to direct his energies.

So, for that reason and others that deal with the necessity for this Nation and for the world to better understand what is happening to the world's climate and how global climate change is going to adversely impact our lives, I would oppose the gentleman's amendment.

Most importantly, I would just like to suggest to the gentleman that this isn't the place to deal with this issue particularly at this time.

I reserve the balance of my time.

Mr. BROUN of Georgia. Well, I respectfully disagree with my friend that this is not the place. We are throwing money at something that has not been established, and you're funding something that's not needed—a whole new agency. NOAA has no clue of how to deal with this new National Climate Service. In the Science Committee, we've gone through the authorization process, and we've had multiple proposals given to us. Over and over again, the majority has shot down every proposal besides just establishing this new agency that's not needed.

Nobody knows how to operate this thing. Nobody knows what it's going to do. If, indeed, this is funded, it is going to totally remove from Congress any oversight or anything else, and it is going to put it in the executive branch. We've got to save the taxpayers' dollars. We've got to stop this egregious spending of money that we don't have. It just has to stop.

Mr. MOLLOHAN. Mr. Chairman, I would close my opposition with the observation that there are no funds in the bill to establish a National Climate Service. There is money in the bill to fund weather observations, which relate to climate observations, and which is collected in the normal course of the National Weather Service's operations.

We anticipate the authorizing committee will come forward with such a suggestion. We'll see how it fares on the floor of the House and in Congress and if the President signs it into law as time goes forward; but there is, in fact, no money going to establish the National Climate Service in this bill.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. MOLLOHAN. I will yield.

Mr. BROUN of Georgia. Will you assure me that, in conference, if the authorizers do not put into place an authorization of new climate service that no funds will be expended on establishing a new National Climate Service?

Mr. MOLLOHAN. No, for the same reason I wouldn't assure the gentleman from Indiana before.

What happens in conference is in the context of all of the issues that are being considered in conference. So I can't predict that future, and I won't

commit to any specific attitude in conference.

I will point out that the authorizing committee is considering this. We respect the authorizing committee process. If they were not to authorize a National Climate Service, then that would be something that we would take seriously into account as we engage in conference with the Senate.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. MOLLOHAN. I will yield to the gentleman.

Mr. BROUN of Georgia. Well, there are funds appropriated, and they are in this bill to establish this unneeded, totally unauthorized Climate Service, and I am adamantly against establishing that.

The CHAIR. All time has expired.

The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BROUN of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

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AMENDMENT NO. 60 OFFERED BY MR. BROUN OF GEORGIA

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 60 offered by Mr. BROUN of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may, for purposes of carrying out the 2010 decennial census, be used to apply the statistical method known as "sampling".

The CHAIR. Pursuant to House Resolution 552, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have heard it a thousand times that every vote counts, but, Mr. Chairman, if we allow for the use of the practice known as "statistical sampling," as this bill clearly allows, it is my fear that every voter will not be counted and maybe some voters might be counted more often than others.

Since the new administration has come into office, they have made it known that they plan on politicizing this basic constitutional function of the Federal Government. At a time when the Federal Government is endlessly enacting unconstitutional laws and executive orders, it is incumbent upon this body to safeguard at least one obligation that is required of us by the Constitution of the United States.

The Constitution requires the government to take an actual head count. Not a guess, not an estimate, but a physical head count. Statistical sampling, however, simply creates profiles and assumes how many people live in various parts of our country, and it does not actually do any counting.

In other words, sampling makes people up. It even guesses their age, their sex, their race, and even their background. Implementing this process would undoubtedly leave the census open to massive amounts of fraud and political tinkering. With groups out there like ACORN, who are potentially in line to be entrusted by our government anyway, allowing sampling to be used in addition to their already known shady practices, we might as well just say we don't care in the least about getting accurate results. Mr. Chairman, enough is enough. We must take legitimate steps to ensure the integrity of next year's census.

I believe there was another amendment made by my friend Mr. MCHENRY from North Carolina that would have done even more to ensure the integrity of this process. Mr. MCHENRY and my friend and colleague from Georgia (Mr. WESTMORELAND) have worked tirelessly on this very issue. They know more than any other Members in this Chamber the pitfalls and the constitutional concerns that come with the use of statistical sampling, both as it relates to the census and to the apportionment process of this very body. But because of this gag rule that the majority has imposed upon us, Mr. MCHENRY's amendment will not be eligible to be debated, which is shameful. This is just one example of how the Democrats' decision to completely close off the amendment process for this bill is ending up shutting out meaningful debate.

The tactics employed yesterday in the dead of the night are completely against the promise of openness and honesty that this body is supposed to stand for.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, first of all, I want to assure the gentleman that the Census Bureau will not use sampling for purposes of apportionment. To the extent that's a concern, I want to extend that assurance. The Supreme Court has already ruled against the use of sampling for the purposes of apportionment, and it will play no role in the apportionment next year. Existing law prohibits the use of sampling for apportionment.

This amendment would prevent the Census Bureau from completing important aspects of the census that are unrelated to apportionment, such as coverage measurement. Coverage measurement is used to measure the undercount and thus assure the qual-

ity, and provides a performance measure, if you will, Mr. Chairman, for the decennial activities. The Bureau needs this data to identify gaps in coverage and to improve its process so that Americans can be assured of the best possible census in the future.

Now, I've heard this debate for the last several censuses. Sitting on this committee, we deal with this issue every 10 years. Sampling is a statistically sound methodology. Again, it's not going to be used for apportionment, assuring the gentleman. But it is a statistically significant and accurate way to have a better count. It's sound, and it achieves accuracy, and that's the whole point, through a scientific method.

Now, I didn't take statistics, so I have to rely upon the scientists to tell you this, but I've listened to enough of them assure us that that's the way they get a better count, a more accurate count, and isn't that tremendous that we have these sophisticated methods to achieve that?

So to oppose sampling in and of itself, I think, is to disagree that sampling does achieve greater accuracy, and I think that is disagreed with by the scientific community.

Mr. Chairman, at this point I yield 2 minutes to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I would like to thank the gentleman from West Virginia (Mr. MOLLOHAN) for yielding.

Mr. Chairman, I believe that this is an amendment that tries to solve a problem but, instead, it creates a problem that does not exist but is written so broadly that it creates all kinds of other problems.

I understand that the gentleman from Georgia opposes the use of statistical sampling for the apportionment of seats in the House of Representatives. The Supreme Court has already ruled that this is not allowed, so you can forget about that. There is a Federal statute that already prohibits it, and the administration has repeatedly stated that it will not be used. Sampling will not be used to adjust the 2010 census.

So this amendment is not necessary. This is a blocking amendment. This is an in-the-way amendment. The problem is that this amendment is written so broadly that it would also prohibit commonly accepted techniques that the Census Bureau uses for quality control and other surveys.

Next year the Census Bureau will use sampling as a part of its coverage measurement program after the main count in order to estimate how well it counted the entire country. This amendment interferes with that. The Census Bureau uses sampling for other statistical work, including the American Community Survey. The American Community Survey provides Congress and the public with specific and valuable data about our Nation's population that State and local governments need in order to make the best

decisions they can make. It is an important tool for policy-making at the Federal level. We want to make sure that the Bureau can still provide this necessary information. Please do not tie their hands.

As Chair of the committee that has oversight of this, I urge my colleagues to oppose this amendment. This is an awful amendment. It does not do anything to help get to where we need to go.

Mr. BROWN of Georgia. Mr. Chairman, I yield myself 30 seconds.

I respectfully disagree with my friends on the other side. This doesn't have anything to do with the American Community Survey. It has to do with the census, and that's the reason that the amendment is written the way that it is written. It says the census and the census only. It has to do with the census. It has to do with the apportionment that's based on the census. And the Constitution requires actual counting, not statistical surveys or statistical sampling. It is to ensure integrity that we know who's here and what they're all about. And that's what my amendment is all about.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. BROWN of Georgia. Mr. Chairman, this whole amendment process is flawed. We had other amendments that were maybe considered better. And because of these flaws, the American people surely will not receive the accurate census that the Constitution requires that they receive next year.

We have made many efforts to try to cut spending, but those were all counted out of order too by the new rule. This is a flawed process that is deplorable, and we should have let the process go on. And I find it detestable, frankly.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 79 OFFERED BY MR. HENSARLING

Mr. HENSARLING. Mr. Chairman, I have an amendment at the desk, No. 79.

The CHAIR. Is the gentleman the designee of the gentleman from California (Mr. LEWIS)?

Mr. HENSARLING. Yes, I am.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 79 offered by Mr. HENSARLING:

At the end of the bill (before the short title), insert the following:

SEC. \_\_. None of the funds made available by this Act may be used by the Art Center of the Grand Prairie, Stuttgart, AR, for the Grand Prairie Arts Initiative.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Mr. Chairman, this is an amendment that would strike an earmark in the bill for the Arts Center of the Grand Prairie in Stuttgart, Arkansas.

I'm not a big fan of earmarks, be they congressional earmarks or administration earmarks. That's not to say that all earmarks are bad. In fact, the gentleman from Texas to my left here, Mr. Chairman, has proposed several very worthwhile earmarks.

But, Mr. Chairman, we are not living in normal times. We are in severe economic stress in our Nation today. And as I look at what has happened in the United States Congress, what I have observed is that in the history of Congress never have so few voted so fast to indebt so many.

Already on top of a staggering, staggering national debt, we have seen a \$700 billion bailout program that continues today, a \$1.13 trillion government stimulus bill that does nothing to help our economy, a \$400 billion omnibus bill chock full of even more earmarks. All of this is costing hundreds of thousands of dollars to hardworking American families.

Mr. Chairman, the President himself has said that he is losing sleep at night over the national debt. Well, I would love for the President to sleep better at night, and maybe he could quit proposing the bailouts. Maybe Members of Congress could quit proposing all of the earmark spending.

Now, this is relatively small as far as the dollars are concerned, \$155,000 apparently to fund an afterschool and summer arts program.

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But, Mr. Chairman, under this Democratic Congress, the national debt will triple in 10 years. The Federal deficit has gone up tenfold in just 2 years. We're borrowing 46 cents to spend \$1 here. We're borrowing money from the Chinese, and we're sending the bill to our children and our grandchildren, which causes me to question, is this the best expenditure for \$155,000 of the taxpayer money?

Mr. Chairman, I'm a veteran of many of these earmark battles. They have been going on for years. I know from history what we will hear. Number one, we will hear, Nobody knows my district like I do. Mr. Chairman, I concede the point. I do not know the gentleman from Arkansas' district like he does. I suspect I will hear that good things can be done with the money. Mr. Chairman, I concede the point. I'm not familiar with the Art Center of the Grand Prairie. My guess is they do wonderful, wonderful work, although I am unfamiliar with how it's necessarily related to Juvenile Justice. I will hear that Congress has the authority to spend this money. I concede the point. Congress has the authority to spend the money. It doesn't mean it's smart. It doesn't mean it's wise. It doesn't mean

it's helpful. But yes, Congress has that power.

My complaints are twofold. Number one, again, when we're borrowing 46 cents on the dollar, borrowing money from the Chinese, sending the bill to our children and our grandchildren, encountering more debt in the next 10 years than in the previous 220 combined, we've never seen levels of debt since World War II. Is there any time that we decide, maybe something isn't a national priority? And as good as the work that they do at the Art Center of the Grand Prairie in Stuttgart, Arkansas, I would suggest to you that there are alternative uses for this money that would help families in America, and it is not a priority, and we must start this spending discipline somewhere.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the gentleman from Arkansas, a member of the Appropriations Committee, Mr. BERRY.

Mr. BERRY. Mr. Chair, I thank the chairman, the gentleman from West Virginia, and congratulate him on putting together a good bill and bringing it to this House floor and moving it forward.

My colleagues across the aisle, as they have suffered in the minority, talk more trash than a \$3 radio. It's amazing. Actually, it would almost be funny if it were not so serious. But they took over this country in January of 2001 with a balanced budget, a \$5 trillion surplus and the votes to pass anything they wanted to pass, and they did. And they imposed their will on the American people. Their idea of how to grow an economy is, give as much money as you can to the rich people. Don't regulate them at all. Let them do anything they want to, and hope Wall Street takes care of you. Well, we all see what happened.

This year we find ourselves in the worst economic circumstance that anyone can imagine. It's happened one other time in this country. As I've listened to the debate, it sounds like a ghost from the Hoover Republicans trying to stop Franklin D. Roosevelt from rebuilding this country, making it a great Nation again, and putting it in a position where it could fight and win World War II. What he did was invest in the people and invest in the country, and we did it, and it worked.

I make no apologies for our attempt to invest in the children of the Grand Prairie in Stuttgart, Arkansas. So I rise today in support of funding for the Art Center of the Grand Prairie. The Art Center is a nonprofit organization that provides after-school and summer programs for troubled youth.

While the Art Center provides valuable artistic instruction and activities,



we don't need to turn this into an argument over whether the Federal Government should be a patron of the arts. We need to look at the real point of the program, engaging at-risk youth and preventing crime. That is the benefit the Federal Government and society as a whole will derive from this project. It is a worthwhile investment in our children. The funds for this project come from the Department of Justice, specifically the Juvenile Justice and Delinquency Prevention Program. According to DOJ's own description of the program, Juvenile Justice grants support "prevention and early intervention programs that are making a difference for young people and their communities." The Art Center of the Grand Prairie is a perfect example of this type of program.

During the school year, the Art Center's after-school programs can serve as a valuable supplement to each child's education by emphasizing task-oriented instruction, learning to create a project from start to finish and supplementing critical reading and writing skills in the process.

Most importantly, these programs engage children off the streets during afternoon hours between 3 p.m. and 6 p.m. They're primarily staffed with many good, hardworking people that volunteer their time. It's well known by law enforcement that this is the prime time for juvenile crime, vandalism and violence.

Outside of the school year, the Art Center's summer art program provides week-long programs for youth, engaging them with positive educational activities that stimulate creative thinking, get children reading and writing, and stem the summer brain drain. These summer camps are open to youths who would not ordinarily get the opportunity to attend this type of program or any other program, as evidenced by the fact that approximately 65 percent of the attendees are on full scholarship. Federal funding for the Art Center of the Grand Prairie will ensure that these programs can continue to grow and make a positive impact on the lives of even more young people.

The amendment offered by the gentleman from Texas would not save the taxpayers a dime. I ask that this amendment be defeated.

I thank the gentleman from West Virginia for his time.

Mr. HENSARLING. Mr. Chair, may I inquire as to how much time is remaining on each side?

The CHAIR. The time has expired on the majority side. The gentleman from Texas has 30 seconds remaining.

Mr. HENSARLING. Thank you, Mr. Chairman.

I am certainly not equipped to speak to the \$3 radio generation, but I think I can speak somewhat to the \$50 iPod generation because the \$155,000 to be used for the gentleman's earmark will be borrowed from the Chinese and sent to that generation.

Now when the Republicans were in control and we had a \$300 billion deficit, the now Majority Leader STENY HOYER called that fiscal child abuse. Now we have a \$1.8 trillion deficit. This earmark makes it \$155,000 worse. Fiscal child abuse for the iPod generation. It should not be accepted.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 76 OFFERED BY MR.  
HENSARLING

Mr. HENSARLING. Mr. Chairman, I rise as the designee of Mr. LEWIS of California to offer amendment No. 76 as printed in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 76 offered by Mr. HENSARLING:

SEC. \_\_\_\_ None of the funds made available by this Act may be used by the Maine Department of Marine Resources, Augusta, ME, for Maine Lobster Research and Inshore Trawl Survey.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Thank you, Mr. Chairman. This amendment would strike a \$200,000 expenditure, another earmark, for the Maine Lobster Research and Inshore Trawl Survey.

I believe, if we've counted properly, there's roughly 1,100 different earmarks contained within this appropriation. Again, I want to make it very clear that all earmarks are not bad. But I'm not a fan of earmarks, be they congressional or administration. Too often in the earmark process, what we observe, what the American people observe is a triumph of special interest or local interest over the national interest or the public interest. Too often we see a triumph of seniority in political considerations over merit. Too often we see the triumph of secrecy over transparency, and all too often for this body, Mr. Chairman, the American people believe they see money coming in on one end of Capitol Hill and earmarks coming out of the other. The system is broken. The system must be reformed.

Again, Mr. Chairman, relative to the Federal budget, it may be a small portion of the total spending. It is a huge portion of the culture of spending. We need a culture of saving. You cannot earmark, bail out, borrow and spend your way into prosperity, no matter what my colleagues on the other side

of the aisle believe. It cannot be done. We have seen no example in history whatsoever.

Now, Mr. Chairman, I have no doubt that this Maine Lobster Research and Inshore Trawl Survey is very important to the State of Maine. I have no doubt about that. I wonder, though, how much Federal money is already going into lobster research. I wonder if it is truly a Federal priority. How about catfish? How about pecans? How about research for yams and sweet potatoes? Are those, indeed, national priorities? And if it's not a national priority, if it's important for the State of Maine, why didn't the State of Maine pay for it? If it's important to these local communities, why don't the local communities pay for it? Why didn't the Chamber of Commerce pay for it? Why don't commercial companies pay for it? Why don't co-ops pay for it?

Somebody needs to explain to me why the Dublin family in Palestine, Texas, that needs money to pay their mortgage, why do they have to pay for it? Why does the Mauk family in Athens, Texas, when they need this money to put gas in their car, why do they have to pay for it? Why does the Lilly family in Kaufman, Texas, that need money to pay for their health care premiums on their insurance, why do they have to pay for it? I don't understand that, Mr. Chairman, and I don't think it's right. I don't think it is right at a time of economic crisis.

You know, we're losing small businesses by the thousands. The average small business is capitalized by \$25,000. This \$200,000 expenditure right here, that could mean the difference of saving eight small businesses and the jobs they represent in this great Nation of ours. But instead, it's going to be spent on the Maine Lobster Research and Inshore Trawl Survey. No doubt it's important to Maine. No doubt they're doing good work. But Mr. Chairman, again, is it worth borrowing money from the Chinese, sending the bill to our children and grandchildren, and maybe being the first generation in America's history to leave the next generation with a lower standard of living? It's not fair. It's not smart. It's not right. It needs to be rejected.

I reserve the balance of my time.

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Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the gentlelady from Maine (Ms. PINGREE) who is a member of the Rules Committee.

Ms. PINGREE of Maine. Thank you to the Chair of the committee for yielding me this time.

Now, you can imagine when I first saw this amendment I was quite angry,

and I don't want to be discouraged about the motives of the good Representative from Texas, so I thought, well, perhaps the good Representative from Texas doesn't understand the importance of this to Maine. And as he said, in many ways he doesn't. I know, because he has a farming district. I'm sure in his district, it's important to him to have dairy program subsidies, cotton subsidies, wheat subsidies—millions of dollars of which come into his State every year.

This is \$200,000, Mr. Speaker, to a very important industry in our State, the lobster fishing industry.

Now, if you're from Texas, fishing may seem like a distant thing, and I understand that may be complicated. But let me just say that fishing is a common resource. This \$200,000 helps us to monitor these fisheries, a very tightly controlled and restricted fisheries, but very successful fisheries in our State because of it. And this is the subsidy that the Federal Government—as well as our State government—gives to help make sure that this stays a healthy resource.

Now, just to give you a sense of the size of this industry, there are 7,000 licensed fishermen in the lobster industry. They brought in 69 million pounds of lobster in the last year. Now, I know in Texas, \$242 million may not sound like a substantial contribution to the economy, but that's big money in the State of Maine. And fishing is big business in our State and very important to our State. Eighty-five percent of all of the lobsters in this country come from the State of Maine.

Now, it may be that you think about lobsters as some sort of glamorous food, but the fact is we're talking about hardworking fishermen. And let me tell you a little bit about how this industry works. By law in the State of Maine, these are basically individual entrepreneurs. Each one of these fishermen is a small business, and it's a family business for most people who go lobster fishing in the State of Maine.

Unlike other States where you may have big corporate farms that get big corporate subsidies, these are individual fishermen. This is not a subsidy to them. This is making sure that there is a resource for them out there, and by law, they operate as individuals. They buy the gas, they pay for their boats, often their own children go to work with them on the boat every day. They get up early morning, work long, hard hours, and struggle with a resource that isn't always abundant and plentiful. That's why we need to monitor this resource.

It's been a tough year for the fishermen in our State, partly because of the economic downturn. These fish are often processed in Canada and the Canadian banks had a problem because they were affiliated with Iceland last year. So these fishermen have been struggling. These hardworking fisherman just want to make sure that there is a resource available to them in the future.

Mr. Chairman, it is possible that the good Representative from Texas did not understand how vital this was to the State of Maine. It is possible that he thought this would be a way to use our subsidy of the fishing industry as an example. But I just want him and everyone else here in this body to know that this is one of the most regulated fisheries in the world. These are some of the most hardworking fishermen in our country.

This is an important resource to our State, and \$200,000 isn't very much to ask to a lot of hardworking people who contribute to our economy in the State of Maine every day and are counting on our support.

I hope that the good Representative from Texas will withdraw his amendment. But if not, I urge everyone in this body to vote against this and to vote for the economy and the State of Maine.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I thank the gentleman for yielding.

The Lobster Institute CORE initiative is a tremendous, worthwhile project that helps sustain a vital industry in the State of Maine. This resource is vital to maintaining the jobs and livelihoods of thousands of people. In order to maintain an important part of our economy, we must continue to monitor the resource, in part so that we do not overfish.

In Maine alone, more than 40,000 jobs depend on the health of this industry. In all, the industry contributes an indispensable \$1 billion a year to the Maine economy—\$1 billion a year. As other fisheries have declined, fishermen have increased their dependence on lobster.

Mid-coast and down-east Maine have the most fisheries-dependent communities in New England. Effective lobster management is a key element to the economic stability of this industry. These programs monitor the health and sustainability of the lobster resources and are the foundation of the industry management program. Their continuation is not only essential to the successful preservation of the lobster population, but the preservation of tens of thousands of jobs in the State of Maine.

So I urge my colleagues to oppose this amendment.

The CHAIR. The time of the gentleman from West Virginia has expired.

Mr. HENSARLING. Mr. Chairman, contrary to the gentletady from Maine, I did not come here quite angry, but I do come here disappointed.

I'm sure that her motives are good and pure, but she has brought to us an earmark that takes \$200,000 away from taxpayers in my congressional district in order to benefit people in her congressional district. Maybe she doesn't understand what \$200,000 means to the working families of the Fifth Congressional District of Texas; and, ulti-

mately, maybe she doesn't understand borrowing 46 cents on the dollar, borrowing it from the Chinese in order to send the bill to our children and grandchildren, something that Majority Leader STENY HOYER once described in increasing the Federal deficit, fiscal child abuse. We must have priorities. We must reject this earmark.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HENSARLING. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 105 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I rise as the designee of the gentleman from California (Mr. LEWIS) to offer amendment No. 105.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 105 offered by Mr. CAMPBELL:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" shall be available for the Training the Next Generation of Weather Forecasters project of San Jose State University, San Jose, California, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$180,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, as the gentleman from Texas before me pointed out, this Nation right now is awash in debt. The Federal deficit is around \$11 trillion, I think, at last count, but I think it's going up so fast, about \$2 trillion a year, that it's probably larger than that now. And I don't know exactly what it is.

But 46 cents of every dollar spent by the Federal Government, spent by this Congress on the budget this year will be borrowed—46 cents of every dollar spent is going to be borrowed. The deficit will double in 5 years and triple in 10 years. Interest payments on the debt, interest payments alone are projected to be \$1 out of every \$6 of Federal spending by 2019; \$1 out of every \$6 we would spend just to pay interest on the debt.

Our level of debt is projected by 2011 to reach 70 percent of our gross domestic product. Seventy percent of gross domestic product now for most people listening, Mr. Chairman, that may not

mean anything much, but it's roughly the level where the United Kingdom, Britain, is at today, which resulted in a warning that they may get their credit rating downgraded. If that were to happen to the United States Treasury, then our interest rates would go up even more.

These deficits, interest payments on the debts, will reach almost a trillion dollars coming forward. Chairman Bernanke has said we can't expect to continue to borrow even 4-5 percent of GDP in the future, but the President's budget proposal has deficits ranging from 4-6 percent of GDP.

Mr. Chairman, the debt we have is absolutely unbelievable and unsustainable. We have to stop spending and borrowing so much money.

So this amendment is dealing with a proposed \$180,000 to be spent on "training the next generation of weather forecasters for San Jose State University, San Jose, California."

Now, Mr. Chairman, weather forecasting is a fine profession, and I'm sure San Jose State does a fine job teaching weather forecasters, as I'm sure weather forecasters around the country do. The question is, do we want to borrow another—because it will all be borrowed—borrow another \$180,000 for this purpose? Do we want to subsidize the training at this university and not subsidize it anywhere else it is done? Is this \$180,000 so critical—because we really shouldn't be spending anything right now and borrowing more money unless it's really critical to our needs in the future—is this \$180,000 that critical that we should borrow it again going forward?

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the gentleman from California, a member of our subcommittee, doing an excellent job on that subcommittee, Mr. HONDA.

Mr. HONDA. I would like to thank my chairman for this opportunity.

I rise in opposition to the gentleman from California and his amendment. I'm pleased to have this opportunity to talk about what may well be the most important problem facing our world today, global warming, and about this important project to help us deal with it.

The gentleman and many of his colleagues on that side of the aisle may wish to keep their heads in the sand about global warming, but I believe we need to prepare to deal with the problem today. And I'm not alone in this view.

The United States Global Change Research Program, which coordinates and integrates Federal research on changes in the global environment and their implications for society, released a new report yesterday that provides authoritative assessment of national and re-

gional aspect of global climate change in the United States.

This new report provides a valuable, objective scientific consensus on how climate change is affecting and may further affect the United States. It reveals that climate change will alter precipitation patterns on the timing of mountain snow melt, and predicts that climate change could bring parching droughts to the southwest, home of the gentleman offering this amendment.

One of the keys to dealing with these changes is going to be adaptation, developing ways to protect people and places by reducing their vulnerability to climate changes.

To properly adapt to more extreme climate events, we need to have more data, accurate weather forecasting, weather forecasters trained to predict the extreme events expected with climate change, can give the American people the advanced warning needed to deal with—or even escape from, if necessary—these dangers and avoid tragedies such as Hurricane Katrina.

The funding for this amendment would be used by San Jose State University to complete the development of a field experience curriculum to supplement the existing bachelor of science in meteorology program. This will allow San Jose State University to better train the next generation weather forecasters helping to ensure that government can plan and respond properly.

By the way, this is a one-time shot that will be used over and over again as instruction goes on.

The field experience will improve the quality of the graduates by exposing them to a wider array of weather phenomenon that is typically experienced where the school is located. This will enhance their ability to recognize and forecast the wide array of weather that is likely to be experienced in California and across the Nation in the next 30 years as we experience climate change.

□ 2015

I know the gentleman often asks why this project and others are not worthy projects. Well, the Department of Meteorology at San Jose State University is the only meteorology department in the public university system in the State of California, the Nation's most populous, with a strong focus on the undergraduate program. There are very few bachelor of science in meteorology programs in the western States, so the benefits of this program will extend to other States in the region whose students will attend San Jose State. There are not a lot of options for developing this important curriculum, and San Jose State University has the faculty base capable of developing and offering this new course.

The gentleman also often asks, why should the Federal Government be funding this? I think NOAA makes that point for me. The headline from a NOAA News online story from the agency's Web site reads, "NOAA leads

climate impact and adaptation activities." This is what NOAA does.

In its own words, NOAA is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events. The curriculum that the funding in this bill will complete will help NOAA achieve this mission.

The university will seek other funding sources in order to offer the class after it has been geared up. But to get the program started, I think it is perfectly appropriate for NOAA to make a small investment in the development of a field experience course that will help to better train the next generation of weather forecasters to predict the extreme weather events that are expected to accompany climate change.

Just a side word on this. When I was going to San Jose State back in the sixties, several new words like "ecology," "food web," "smog" and other terminologies which are common among youngsters today started then at universities, and today, these are concepts that are necessary for understanding the kinds of things we are faced with.

Mr. CAMPBELL. Mr. Chairman, may I inquire as to how much time I have remaining?

The CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. CAMPBELL. I appreciate the arguments from my colleague from California and his eloquence in presenting them. However, one of the things I would like to point out to the gentleman is that, unless we missed it somehow, I believe that all earmark requests are supposed to be shown on your Web site, and we were unable to find this on your Web site. But we were able to find that there was some of this funded last year, I believe, so that this is not simply a one-time funding request but, in fact, a multiple-year funding request.

And as noble as the quest and so forth is that the gentleman described, San Jose State is a publicly supported university. It's part of the Cal State University system. And I guess part of the question is, can we continue to do this, Mr. Chairman? Can we take and borrow another \$180,000 to put into this program to subsidize this program further? And is that such a critical need that this program gets another \$180,000 from the Federal taxpayer, borrowed by the Federal taxpayer, that we can't take, starting now, just take \$180,000 and save it and start to reduce the deficit and start to save a little money and start to reduce that debt so that hopefully we can begin to get this thing under control? Until we start to do that—I understand the gentleman's concern, Mr. Chairman, but until we start to do that, we are not just condemning our children and grandchildren to a mountain of debt, it is piling up so fast that we are condemning ourselves to a mountain of debt.

Mr. Chairman, I yield back the balance of my time and ask for an "aye" vote.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 104 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I rise as the designee of Mr. LEWIS of California to offer amendment No. 104.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 104 offered by Mr. CAMPBELL:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act under the heading "Minority Business Development Agency—Minority Business Development" shall be available for the Jamaica Chamber of Commerce, Jamaica, NY, for the Jamaica Export Center, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$100,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, you know, you don't get a mountain of debt without spending the money first. I would like to talk a little bit about the spending that this Congress and this President are doing.

Nondefense discretionary spending—so that is basically nondefense and nonentitlement spending—for 2010 is rising in these appropriations bills we're dealing with now from the current year by 12.8 percent. That's \$57 billion more that we're going to spend in the next fiscal year than we're spending in the current fiscal year only on nondefense discretionary spending.

Now, Mr. Chairman, if you look at what's happening in the economy right now, growth is not—there is no growth. We are down. GDP is falling by somewhere from 4 to 6 percent on an annualized basis. And what that means is that the incomes of Americans are falling by 4 to 6 percent. They're not going up by 4 to 6 percent or 1 percent or 2 percent. They are, on balance, falling by 4 to 6 percent—obviously, some more than that, some less than that. But in this period when the incomes of Americans are falling 4 to 6 percent, should the government be increasing its bureaucratic spending by almost 13 percent? And if it does, where is that going to come from? If Americans are making 4 to 6 percent less, how is the government going to continue to spend 13 percent more?

If you include defense spending, total discretionary spending is rising by 8 percent this year. And these numbers that I have just thrown out are in addition to the \$787 billion stimulus bill that was passed earlier this year. When you put that into effect, Mr. Chairman, many of the agencies of government saw their budgets double over the previous year at a time when regular Americans at home are cutting back. And what are they going to have to do? This money doesn't drop out of the sky. I know people say, Oh, well, this spending is good for the economy. It doesn't drop out of the sky. It has to be borrowed or it has to be taxed, and right now we are borrowing it, and someday the people on the majority side will probably want to tax it. And that, Mr. Chairman, is an unsustainable process.

The President's budget increases spending to more than \$4 trillion, which is now 29 percent of the gross domestic product. That basically means almost \$1 out of \$3 of output in the country is now done by the Federal Government, not including State and local governments. After 10 years, the national debt will be a quarter of GDP. For every dollar the U.S. produces, 25 cents is eaten up in debt.

Mr. Chairman, this particular earmark funds the Minority Business Development Agency for the Jamaica Chamber of Commerce in Jamaica, New York, for the Jamaica Export Center. Now, Mr. Chairman, it's \$100,000 that is proposed to be spent—another \$100,000 to be spent, another \$100,000 to be borrowed, another \$100,000 we don't have, Americans don't have—that is going to have to be borrowed or taxed to be spent for the Chamber of Commerce in Jamaica, New York, to set up an export center. Mr. Chairman, that just doesn't seem to me as a critical need at this time that we should be spending \$100,000 more on to do.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. I thank the gentleman from West Virginia.

You know, I have been listening for a while, and if ever there was a bill or position I think that we should agree upon, it's this piece.

I heard Mr. HENSARLING say on the floor that we are losing small businesses by the thousands, and I agree with that. People are losing jobs, small businesses, which is the backbone of America. And I've heard my colleagues on the other side of the aisle talk often and defend the backbone of America, our small businesses; without them, the average everyday American is in trouble.

And so it is that as you look at the Jamaica Chamber of Commerce Export Center, which supports the needs of small and midsized freight-forwarding businesses—small business—that surround John F. Kennedy Airport and that aims to provide economic and industrial relief to New York City communities that are grappling with an exodus of export and freight-forwarding jobs and businesses, we're losing the jobs, small businesses are closing. The average everyday American is asking those of us in Congress to help them.

John F. Kennedy Airport, once the premiere airport for shipping cargo, has fallen, causing the loss of thousands of jobs. As a primary employer, the freight-forwarding firms in Queens County employ approximately 41,000 people directly. Studies project that for every 1,000 air transport jobs that are lost means there are an additional 470 jobs in associated industries that are also lost. So it seems to me that the perfect remedy to save jobs in various areas is to help keep small businesses running and thriving.

It's estimated that the industry has already lost 4,000 jobs in the areas surrounding John F. Kennedy Airport. This issue became even more pronounced after the tragic events of 9/11, which had a devastatingly negative impact on the airlines and related industries in New York City. In an effort to help sustain the 1,300 small and midsized firms located off the airport site, the Jamaica Chamber of Commerce opened the Export Center.

The center's incubator, one of its main features, happens to encourage minority and female entrepreneurs to operate freight-forwarding businesses by offering technical assistance from a major university business center, keeping them in business and lowering their costs through the collective use of facilities.

If this project is earmarked, the funds would be administered by the Minority Business Development Agency under the Department of Commerce, whose goal is specifically—this is what they're there for—to foster the establishment and growth of minority-owned businesses in America. It aims to address the historical disparity in the number of minority businesses and the large gap that still remains so that small businesses and minorities can get involved in the great American Dream of owning a business and creating jobs in a community in which they reside. It specifically encourages the development of entrepreneurship programs that increase the success of minority- and women-owned businesses.

The Jamaica Chamber of Commerce Export Center does exactly and supports the goals specifically that the program within the Department of Commerce is charged to do. So there is a perfect match here to create jobs, to get people to become small business owners, to maintain low overhead. I think that that's what the American people want. And by doing this, we are

saving jobs not only in one area, but in many areas. To me, that is something that should be applauded, not something that should be taken away.

We match the very definition of what the Department of Commerce has talked about, a perfect match. And we give, in this process, daylight so that the American people can understand we're trying to help them.

Mr. CAMPBELL. May I inquire of the Chair how much time I have remaining?

The CHAIR. The gentleman from California has 1¼ minutes remaining.

Mr. CAMPBELL. Mr. Chairman, I would like to point out to the gentleman from New York as well that we could not find this earmark request on your Web site, which I believe is something that the committee rules require, we could not find that. So that is one thing we would like to point out to you.

But also, Mr. Chairman, what this \$100,000 that we are going to borrow does is subsidizes—

Mr. MEEKS of New York. Would the gentleman yield?

Mr. CAMPBELL. Very quickly, yes, I will yield.

Mr. MEEKS of New York. I would just say it is on the Web site. Later I can show you that it's on my Web site.

Mr. CAMPBELL. We would be happy to see it. We were not able to find this project.

But reclaiming my time, Mr. Chairman, it subsidizes \$100,000 it would borrow for the Chamber of Commerce in Jamaica, New York. The Chamber of Commerce in Jamaica, New York, is a private entity funded by private businesses. So we are using \$100,000 of taxpayer money to subsidize private businesses here at a time when we don't have the money. And if we're going to do it for the Chamber of Commerce in Jamaica, why not do it for the Chamber of Commerce in Irvine, where I live, or the thousands of Chambers of Commerce that exist all over the country.

□ 2030

Mr. Chairman, I would ask for a "yes" vote on this amendment to remove this \$100,000 and save a little bit, and start now by not doing this sort of thing anymore that is just not of a critical nature, given the debt and deficits we have.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

The CHAIR. In striking the last word, the gentleman may not yield specific blocks of time.

Mr. MOLLOHAN. Thank you for reminding me of that, Mr. Chairman.

I yield to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Chairman, I just wanted to make sure that I made clear on the record that the Jamaica Chamber of Commerce in Queens, New York, is not a private entity. It is a not-for-profit organization that is a public organization that depends upon public funds, and the City of New York, the State of New York, and the Federal Government all try to support it because it is a not-for-profit organization in the City of New York to help people create jobs in the Queens area.

Mr. MOLLOHAN. I yield for a response to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. I understand that chambers of commerce are nonprofit organizations, but they are funded by profit-making organizations and their purpose is to try to help those organizations network and make more profit. There is obviously nothing wrong with chambers of commerce. They are great things and they are all over and all that.

But my objection to these things, it wouldn't matter if it was Jamaica, New York, or if it was down the road from me. I don't know how many chambers of commerce there are in the United States, thousands of them, tens of thousands, but should we be sending money to one and not another? And aren't these entities that should learn to live and learn to do their work without subsidies from the taxpayer, particularly given the deficits and debts and the situation that we are in now?

In my home State of California, we have an unemployment rate in excess of 11 percent. So I get it, what is going on and so forth with the economy out there. But if we go down this road of starting to subsidize these chambers of commerce, it will never stop, is my fear. We have got to stop spending what we are spending, not to mention not spend more.

I thank the gentleman for the time.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. HONDA).

Mr. HONDA. I thank the gentleman for yielding.

Just to respond to my friend on the other side who indicated that on my Web site the item of San Jose State University for training the next generation of weather forecasters was not on my Web site. Mr. CAMPBELL, I have a copy of my Web site here. So I am going to tell you right now that it is on the Web site and has been there. So when you make those kinds of accusations, I think that you need to double

check what it is that you are going to be saying.

To the idea of \$180,000, although it may be small, what about this: by 2025, it is estimated that the four global warming weather kinds of damages in terms of energy costs, estate costs, hurricane damage, those four kinds of global warming impact damages will cost approximately—I want you to hear this number, Mr. CAMPBELL—\$271 billion. That is estimated damages in the future. So \$180,000 doesn't seem like a lot of money, but it is a great investment.

I come from an area called Silicon Valley where we understand ROI, immediate return on investment, and I think if we can reduce the damages of \$271 billion with a \$180,000 investment, that is a good investment by any means. And these are not only damages to property, but how about lives? Being able to predict properly the weather and do it in a way where people can avoid a holocaust because of the weather, I think \$180,000 is a good investment.

Coupled with \$271 billion in anticipated costs by the losses due to global warming and climate changes, and the saving of lives, \$180,000 is a minuscule amount, but it is a good investment by any standard.

So, I just want to reiterate, it is good to be able to say that it is not on the Web site, and when you are not there in front of your computer, it is hard to say that he is wrong. But I just had to take this opportunity to let you know that going back to my Web site, I can show you, if you would like to see it, the iteration that we have on our Web site.

I suspect that any other comments regarding other Members' Web sites, that these things are not apparent on the Web sites, could be questioned.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I think we have engaged in a very healthy and productive debate tonight that illustrates the very profound and important philosophical differences of the fiscal conservatives in the House and those in the majority who are, with good intentions, doing everything they can to take care of the Nation's needs, but at a far higher price tag.

I as a fiscal conservative and member of this committee appreciate very much the work that Chairman MOLLOHAN has done to include both Members of the minority and the majority in putting together this final bill, but I as a conservative have profound concerns about the level of spending in this bill and other bills.

I, for example, looking at the amendments before us tonight that we have discussed, I see Mr. PRICE of Georgia's amendment. Representative PRICE was asking that we cut this bill by 1 percent, one penny out of every dollar, and allow the individual agencies to

decide where to reduce that penny out of every dollar. To me, that is an absolutely sensible and in fact frankly a modest approach to dealing with the size of the Federal deficit and the debt.

We, today, Mr. Chairman, in this Congress and every one of us as guardians of the Treasury, as stewards of the trust given us by our constituents, have a responsibility first and foremost to think about the next generation; to think about the amount of money that we are spending and the fact that the money we spend today is, as Mr. CAMPBELL said, being borrowed from the Chinese; that that debt will have to be paid; that we as a Congress have to remember on every vote on every issue and every opportunity that we get that we should find ways to save money.

It is entirely appropriate and reasonable for this Congress to trim expenses wherever we can at a time when the national debt is at record levels, when the deficit is at a record level, when we have already, as we stand here tonight as a nation, accumulated over sixty-thousand-billion dollars worth of unfunded liabilities that must be paid by future generations.

Medicare runs out of money in 96 months. We have saddled our children and grandchildren with a level of debt never before seen in our Nation's history since World War II. And for what end? We in this new fiscally liberal majority in Congress passed this massive bill, what they call a stimulus bill, that all by itself spent more money in one stroke than the entire annual budget of the United States.

The bailout bills, which I also voted against, I voted against \$2.6 trillion of spending under President Bush. I have already had to vote against about \$1.3 trillion of spending under President Obama. Those of us in the minority, the fiscal conservatives in the minority, are doing everything we know how to do to bring to the attention of the American people the urgency and immediacy of the problem, that we as Congress have got to stop spending money. No new debt, no new taxes, no new spending has got to be the watchword for this Congress.

My colleagues on the conservative side of the aisle here have done our best to lay out a series of amendments to give the Congress choices between cuts, as in Mr. PRICE's amendment, which would give the agencies the discretion to go in and find how to save that penny out of every dollar, versus Congresswoman BLACKBURN's amendment, which is an across-the-board cut of 5 percent from each program. We have had other amendments tonight, such as Mr. JORDAN's amendment to cut \$12.5 billion out of the bill.

We are facing a national debt of over \$11.6 trillion today that is accumulating at the rate of, as Mr. CAMPBELL pointed out quite correctly, over \$2 trillion a year. These TEA parties that we saw spring up all across the country spontaneously represent a deep-seated and well-founded fear among the Amer-

ican people that this Congress is completely out of control with the new leadership and the new President spending money at a rate never before seen in American history. It is true, as Mr. HENSARLING said, that never before have so few spent so much in so little time. We in the minority, the fiscal conservatives in the minority today, have laid out tonight, Mr. Chairman, a number of thoughtful alternatives.

My friend Mr. CAMPBELL, I would like to yield my remaining time to him so he can talk about some of the ideas he laid out and some other members of the Republican Study Committee.

The CHAIR. The time of the gentleman from Texas has expired.

AMENDMENT NO. 107 OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I rise as the designee of Mr. LEWIS of California to offer amendment No. 107.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 107 offered by Mr. CAMPBELL:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" shall be available for the Summer Flounder and Black Sea Initiative project of the Partnership for Mid-Atlantic Fisheries, Point Pleasant Beach, New Jersey, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$600,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from California (Mr. CAMPBELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, we have talked here this evening about the debt and we have talked about the spending. And, you know, when you spend more money than you are taking in in government, you have a deficit.

Now, most people, Mr. Chairman, that may be watching this at home say, well, I can't do that, because if I spend more money than I am taking in, I will eventually go broke, if they have a business or their personal spending or whatever.

Mr. Chairman, we are spending more money than we are taking in here in the Federal Government by about nearly 2 trillion, that is with a T, dollars this year. I remember when \$1 billion seemed like it was a big deal, and now we are talking about trillions, we are spending so much.

Part of that includes a \$407.6 billion appropriation bill already passed just this year in this Congress which contained close to 9,000 earmarks. These earmarks totaled almost \$11 billion and included such things as \$200,000 for tattoo removal and \$2.2 million for grape genetics, amongst other things. This \$2 trillion deficit is the largest deficit as a percent of our economy of any year since World War II.

The President's stimulus bill included spending of \$43.6 billion for 15 programs that the Office of Management and Budget called ineffective or having results not demonstrated. We could have decreased that program by 6 percent, that whole stimulus bill, just by eliminating that \$43.6 billion of programs that this government says are ineffective or have results that are not demonstrated.

□ 2045

Mr. Chairman, we are spending way too much money. We're spending too much money on waste. We're spending too much money on duplicative and ineffective programs, and we're spending too much money on earmarks, on earmarks like the one that is before us here in amendment No. 107.

This earmark, Mr. Chairman, is for \$600,000 to fund the Summer Flounder and Black Sea Initiative project of the Partnership for Mid-Atlantic Fisheries in Point Pleasant Beach, New Jersey.

Now, Mr. Chairman, \$600,000 more spending, on top of the \$4 trillion we're already spending, on top of creating \$600,000 more deficit, and this is just one of what I'm sure will be thousands of earmarks in all of these appropriations bills for summer flounder and other fish?

Can the flounders get along without this \$600,000? I think they can, Mr. Chairman.

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MEEKS of New York) having assumed the chair, Mr. ALTMIRE, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

#### REPORT ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Mr. MOLLOHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111-160) on the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.



Accordingly (at 8 o'clock and 48 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2303

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OBEY) at 11 o'clock and 3 minutes p.m.

#### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Pursuant to House Resolution 552 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2847.

□ 2304

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, with Mr. ALTMIRE in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 101, line 20.

Pending is amendment No. 107 offered by the gentleman from California (Mr. CAMPBELL). The gentleman from California has 1¾ minutes remaining.

Mr. PALLONE. Mr. Chair, I rise in opposition to this amendment. The Partnership for Mid-Atlantic Fisheries Science is incredibly important to the commercial and recreational fishing industry on the east coast. It ensures fisheries managers have the best possible science when making decisions regarding a multi-billion dollar industry. This amendment would also arbitrarily cut much needed funding from the National Oceanic and Atmospheric Administration.

The Partnership for Mid-Atlantic Fisheries Science addresses the most urgent scientific issues limiting successful management of the summer flounder and black sea bass fisheries in the Mid-Atlantic region. It is a multi-state multi-institutional partnership that will utilize academic and recreational/commercial fisheries resources to develop targeted science initiatives.

Summer flounder and black sea Bass are among the most valuable recreational fish in the Mid-Atlantic. Both are also important commercial species. This project will benefit the participating recreational and commercial fishermen of the Mid-Atlantic, their shore-based supporting industries, and tee many consumers of seafood that count these species among their preferred seafood items.

This program helps us incorporate critical information into the fisheries management process. By using the best possible science fisheries managers will be able to create healthy sustainable fisheries and protect the fishing industry.

Mr. BISHOP of New York. Mr. Chairman, I rise in strong opposition to the amendment.

On behalf of eastern Long Island, I commend Chairman OBEY and Chairman MOLLOHAN for their leadership on the underlying bill, and I thank them on behalf of the taxpayers' best interests.

As many of my colleagues know, the Partnership for Mid-Atlantic Fisheries Science conducts urgent research to revive and manage fisheries, including summer flounder and black sea bass fisheries in the Mid-Atlantic region.

I requested this, project along with my colleagues, both Republicans and Democrats from New Jersey and New York, because the research to be conducted will help stimulate an industry that is critically important to my region—precisely what our economy is calling for and precisely the opposite of what has been suggested by the gentleman from California, whose district could not be further away or more detached from the jobs and families this research benefits. In fact, on Long Island, the fishing industry is a source of \$2 billion to the local economy and sustains more than 10,000 full and part-time jobs.

I do not presume to know what is of critical importance to the people and economies of Newport Beach or Laguna Beach and I doubt the gentleman from California has spoken to fishermen in my district who are struggling with outdated catch limits and quotas, and thus as a result, struggling to make a living.

This request is not a typical earmark. It does not serve only a single district. It was not requested by one member or one party. It is not a crutch for a fading industry. Rather, the Partnership for Mid-Atlantic Fisheries Science is a reputable organization—with well-established federal and regional partnerships, such as the National Marine Fisheries Service, Mid-Atlantic Fishery Management Council, and Atlantic States Marine Fisheries Commission committees and assessment programs.

Additionally, the Partnership will serve critical needs in the region known as the Mid-Atlantic Bight, where the recreational and commercial fishing industries—and the jobs and families that support them—depend on summer flounder and black sea bass for their livelihood.

Providing data based on the best possible science—as this research funding provides—is vital to the health of our fisheries and the economic well-being of our fishermen.

If you support a down-payment on job creation and a prudent investment of taxpayer dollars in the future of this economy, vote against this misguided amendment and support the underlying bill.

The CHAIR. Does any Member seek recognition on the Campbell amendment?

If not, the question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 87 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as No. 87 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 87 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds provided in this Act under the heading "Department of Justice—General Administration—National Drug Intelligence Center" shall be available for operations of the National Drug Intelligence Center, and the amount otherwise provided under such heading is hereby reduced by \$44,023,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, my amendment would strike funding for the National Drug Intelligence Center and reduce the cost of the bill by a commensurate amount. This is not the first time I have come to the floor to try to strike funding for the NDIC, but this is the first time I have tried to come and strike this earmark when it was requested by the President. In times past, the earmark was requested by another Member of Congress, but this time the President has taken it up.

After years of trying to close down this entity, the administration has decided that they want to keep it. It has been described by the previous administration as duplicative and ineffective. I think that just about every report we have seen on this center has said that. It is a considerable amount of money, I believe \$44 million. We should be saving that.

According to the administration officials, by including funding for the NDIC in his budget request, the President helped to establish the Department of Justice as the NDIC's permanent funding source. In this case, I think "permanent" is a troubling word, particularly when it regards the NDIC.

Reportedly, this shift will also change the NDIC's name to the Center For Strategic Excellence. As Shakespeare once wrote, A rose by any other name would smell as sweet. I submit that the metaphor remains true, only it is not the perfume of roses that we smell here with the NDIC.

The NDIC was established in 1993 and has been the recipient of more than 350 million taxpayer dollars in the 15 years it has been in existence. Despite all the money and time, the NDIC, according to the previous administration, "has proven ineffective in achieving its assigned mission."

Now, we all expect the Obama administration to disagree with many determinations by the Bush administration, but the criticism of the NDIC extends beyond the previous administration. A report by the GAO issued shortly after the NDIC's opening way back in 1993 cited 19 other drug intelligence centers that already existed whose functions

the NDIC duplicates. So it is not just the previous administration. Long before that, we have recognized that this is money that should and could be saved if we would close down this center.

As reported in *The Hill* on May 14, a review by OMB agreed. They concluded that NDIC's efforts were duplicative of those of the other intelligence agencies.

In 2006 a spokesman for DOJ asserted that the resources for the NDIC should be "realigned to support priority counterterrorism and national security initiatives."

Mr. Chairman, this is a center begging to be shut down. I don't need to remind anybody here of the problems we are having fiscally. We are running the biggest deficit we have ever run, we have public debt that is just astounding, we have unfunded liabilities that should make us all shudder, and we simply can't keep a center like this open for tens of millions of dollars a year that has been called duplicative and ineffective. So I think that this is an amendment that should pass.

We are not targeting, as I mentioned, any Member earmark this time. This is the President's earmark. And part of the role of Congress, one that we have not done well, is to police the administration and to look at what they are allocating and earmarking for.

With that, I reserve the balance of my time.

□ 2320

Mr. MOLLOHAN. I rise in opposition to the gentleman's amendment, Mr. Chairman.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, the National Drug Intelligence Center was requested by the administration. The President's request was for \$44.023 million. The request in that amount was approved by the committee. The National Drug Intelligence Center provides strategic drug-related intelligence, document and computer exploitation support, and training assistance to the drug control, public health and law enforcement and intelligence communities in order to reduce the adverse effects of drug trafficking, drug abuse and other drug related criminal activities.

In this bill, Mr. Chairman, the organization is funded at our recommendation of \$44.023 million, which, I repeat, is at the budget request.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I'm often told we shouldn't be challenging Member earmarks. We shouldn't be challenging them because we ought to be going after those faceless bureaucrats and the things that the administration proposes that we don't look at enough. And I agree, certainly.

So here's a case where the administration, not just the previous adminis-

tration, but administrations before that have said this is duplicative. It's a center in search of a mission, and it ought to be shut down. You could save \$44 million a year. And yet we won't do it. If we're not going to shut down a center like this, where are we going to cut?

Let me just quote, according to the Department of Justice Budget and Performance Summary for Fiscal Year 2010: "The most significant challenge for NDIC currently is its lack of a permanent funding source."

Now, think of that for a minute. If that's the biggest challenge they've got, not, you know, finding a strategic mission or way to aid in our drug control effort, but is finding a permanent funding source. That seems to be their mission. And from what we know, that may be mission accomplished now, because the President is seeking to put it under DOJ where it will remain permanently.

But we in Congress, it's our role, part of our oversight function is to ensure that money is not wasted by those, I'm always told, faceless bureaucrats. Here's a perfect example of where we can make a difference, where we can save money, and we ought to do it.

I reserve the balance of my time.

The CHAIR. The time of the gentleman has expired.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 86 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 86 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 86 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act under the heading "National Aeronautics and Space Administration—Cross Agency Support" shall be available for the Innovative Science Learning Center of ScienceSouth, Florence, South Carolina, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$500,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would remove \$500,000 funding for the Innovative Science

Learning Center at ScienceSouth in Florence, South Carolina, and reduce the overall cost of the bill by a commensurate amount.

According to its Web site, ScienceSouth is a nonprofit institution established in 2000 by educators and business leaders and seeks to advance scientific understanding and increase the competitiveness of future generations.

ScienceSouth offers programming for schools and families, as well as summer camp sessions, and currently offers hands-on science workshops at its newly opened ScienceSouth pavilion.

Additionally, ScienceSouth is planning to open a new permanent facility. It's unclear whether the Innovative Science Learning Center is connected to this. There's no mention of it in the ScienceSouth Web site, and my staff was unable to find any information on the center online. This project is likely connected to the growth of this institution. Perhaps we'll have clarification here.

Mr. Chairman, I agree with the sponsor of the project that ScienceSouth appears to offer a valuable service to the community. I appreciate efforts to make learning fun for families. I applaud ScienceSouth's decision to expand.

However, I have to question how essential it is that ScienceSouth receive Federal funding. According to the Web site, ScienceSouth counts DeLoitte and Touche, I guess, Honda, Wachovia, AT&T, Bank of America and many other as its sponsors. It's also received funding from the State legislature, and holds an annual gala to raise funds from private donors. Yet year after year, we see earmarks such as these approved by the House; and year after year, some of us try to come to the floor of this House and ask why. Why do we continue to fund these projects?

We're often told that we're trying to wean them off Federal funding. Yet, that weaning never seems to be accomplished.

This year I'd also like to draw attention to the fact that earmarks like this exist because we have a pretty powerful spoils system. It favors powerful Members of Congress over just about everyone else.

With more than 1,000 earmarks in this bill, a full review and breakdown of earmarks was in tall order. However, you look at just a glance at one earmarked account in this bill, the COPS Law Enforcement and Technology account reveals that Members of the House leadership, appropriators, committee chairmen and ranking members are taking home more than 45 percent of the earmarked dollars in that account.

I wish I could say this was the exception to the rule. Unfortunately, it's not.

When you look at last year's Defense spending bill, for example, the same powerful Members took home 54 percent of the total earmarks contained in

the bill. I'd remind my colleagues that this subset of Members comprises only 25 percent of this body.

Mr. Chairman, I often hear that Members know their districts better than those faceless bureaucrats. I would think it would be a tough case to make that only Members of the Appropriations Committee, or only Members who are in leadership positions on both sides of the aisle, they just happen to know their districts a lot better than anybody else, than the rank-and-file Members. Else, why should they get nearly half of the earmarks when they comprise less than a quarter of the body?

I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina, our majority whip, Mr. CLYBURN.

Mr. CLYBURN. Mr. Chairman, I thank Chairman MOLLOHAN for yielding me the time.

Ranking Member WOLF, Mr. FLAKE, Members of the committee, subcommittee and staff, I very seldom come to this floor to make statements. But I do tonight because I consider it to be very, very critical to the education of our young people for us to continue and to expand the partnerships that all of us are trying to develop with the business community in trying to educate our children, most especially, those children who live in disadvantaged or what we call at-risk conditions.

ScienceSouth is a hands-on, minds-on program that many of us have worked a long time to develop.

And I want the gentleman to know that we aren't talking about my district here. We are talking about the I-95 corridor that has been dubbed "The Corridor of Shame," that runs for 200 miles through South Carolina.

One of the partners, as he may have mentioned in his statement, is the city of Dillon. Dillon is not in my district. It is a city made famous by its School District No. 2, on the evening that the President of the United States addressed a joint session here in this room, and he identified a young lady sitting next to his wife, Ty'Sheoma Bethea, and talked about the letter she wrote to him. Ty'Sheoma Bethea is one of the students benefiting from this program, and Dillon is not in my district.

This is not about seeking largesse for the district I represent. This is about educating the children of this great Nation and of my home State.

□ 2320

This program is very, very important, and it has been around for 9 years, and I would like the gentleman to know that this is not anything that

we are trying to wean off of. This is something that I wish we had more money to spend on. We cannot put this kind of condition on the education of our children.

Now, I don't understand why it is that we can understand the necessity for repeat expenditures to educate people and not understand why partnerships ought to exist, because students are being born every day. This program is not being maintained for the same students. It is being maintained for students who are being born every day and who are reaching a level every day of benefiting from this program.

So Ty'Sheoma Bethea will go on to college or will go on to university, and I am going to help ensure that she does. There will be others behind her to benefit from this program. So this is not repetition on the same students. This is the repetition of a program that has proven to be very, very beneficial.

In closing, might I say that this program is so important to the business community in South Carolina until Richard Powell recently ended his career at ESAB, which is a global welding and cutting firm, where he held positions of senior vice president of strategic planning, of senior vice president of information technology, vice president of manufacturing, and controller, and he took over the directorship of this program.

This is one of the reasons we exist—to make the quality of life better for those young people, especially those who live along the I-95 corridor that so many of us like to talk of as the "corridor of shame." What we're trying to do with this program is to turn that corridor into an oasis of opportunity for those children.

Mr. FLAKE. Mr. Chairman, there are a lot of commendable education programs, and this is certainly one that is fulfilling its objective.

We are facing a \$2 trillion deficit this year alone, and I think it behooves us as Members of Congress to make some choices at some time. I think all of us would love to have money for every worthy project that's out there, but here is a project that is receiving a lot of money from the private sector. I listed off some of the sponsors. They've been able to get large grants from corporations, and that speaks well for this program. Yet it has been around for 9 years, and since 2002, it has received \$1.6 million in earmarks from this body.

At what point do we say, "Enough is enough"? At what point do we say, "Yes, it is time to wean this program off of Federal dollars"? If not now, when? When we hit a \$3 trillion deficit? At what point do we say, "We're spending too much"? We all know that we have to borrow any money that we spend on any of these programs because we're running a \$2 trillion deficit. I would simply submit that we have got to make some cuts somewhere, and we don't seem to be willing to do it anywhere. So, with that, I would urge support of the amendment.

I yield back the balance of my time. The CHAIR. The gentleman from West Virginia has 15 seconds.

Mr. MOLLOHAN. I yield the gentleman from South Carolina 15 seconds.

Mr. CLYBURN. Mr. Chairman, let me just say to the gentleman that I agree that we must find places to cut, and I have worked very hard on this side of the aisle to do that, but I think it is foolhardy to cut from the education of our children. They are, in fact, our future. This is an investment in the future of our children and of this great country.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 85 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 85 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 85 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds provided in this Act under the heading "National Aeronautics and Space Administration—Cross Agency Support" shall be available for the Drew University Environmental Science Initiative of Drew University, Madison, New Jersey, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$1,000,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair now recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would remove \$1 million for the Environmental Science Initiative at Drew University, and it would lower the cost of the bill by a commensurate amount.

I have nothing against environmental science. I think very highly of the gentleman who has sponsored this earmark, but I do have a problem with handing out these kinds of earmarks to private universities. Drew University is not only a private institution; it also has a reported endowment of more than \$268 million. In addition, the university was recently awarded a grant of \$950,000 by the Andrew W. Mellon Foundation, a grant that was for the establishment of the new Environmental Studies and Sustainability major at the school. This is according to the university's Web site.

I applaud Drew University. It speaks highly of the university that it was

able to secure a grant from a foundation like the Mellon Foundation. Yet it's curious, in light of this grant, that Drew University should receive a \$1 million earmark for what the sponsor said is the development of new environmental studies courses for the construction and improvement of science laboratories.

It sounds to me like this new course of study at Drew University not only got a \$1 million grant from the foundation for the new major but that it is also getting a \$1 million grant from the taxpayers as well. I'm sure the curriculum Drew offers is competitive and noteworthy, but so are the curricula of many universities across the country.

Mr. Chairman, there has been increasing attention paid to earmarks for private companies. What do we do about earmarks to private universities that have demonstrated their ability to secure generous grants from prestigious foundations? Why do the Federal taxpayers have to provide funding as well?

Drew University has the benefit of relationships with influential Members of Congress, obviously; but does that justify this kind of earmark?

As I mentioned, there is a bit of a spoil system here. I mentioned the CJS spending bill overall. When you look at simply one program, again, like the COPS grant, it contains nearly \$123 million in earmarked funds. Powerful Members of Congress, appropriators, leadership, and committee chairs and ranking members are taking home more than \$55 million of that. That represents 45 percent of the total dollars earmarked. Yet I would remind my colleagues again that this subset of Members comprises only 25 percent of this legislative body.

I would submit that the taxpayers have already had an education. We've received an education in Congress' wasteful earmarking ways. We don't need to subsidize a private university in this manner. I urge support of the amendment.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition to the amendment.

The CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Mr. Chairman, personally, I believe that we do need to rein in excessive government spending and promote fiscal discipline, and I've been heavily involved in that.

With that said, I want to thank you, Representative FLAKE, for bringing this very important project to everyone's attention. I know we can all agree on the importance of math and science education. Throughout my career in county, in State and now in Washington, I've been a strong proponent of instilling an interest in STEM education in our young people so that they may tackle our country's and our planet's most pressing issues.

The Drew University Environmental Science Initiative—and Drew is located

in Madison, New Jersey—fits perfectly in line with this goal of advancing science education. This program benefits Drew's undergraduate students, and it assists Drew in expanding its partnership with local elementary, middle and high schools. Many speakers had come to the floor earlier, saying, you know, How are we going to meet the challenges of China and India?

One of the ways you meet the challenges of China and India with regard to their educational systems is to make sure that there are colleges and universities that are doing what they can to graduate students who are heavily involved in math and science studies.

I strongly share Drew's belief that, in order to confront tomorrow's environmental challenges, we must capture the interest and imagination of our Nation's youth early in education, and Drew does this.

□ 2330

I'd also add that this project, this science initiative, like all others proposed for funding, has been thoroughly vetted and completely transparent.

And may I add, unlike the gentleman's home State of Arizona, which ranks 21st in the Nation in tax dollars returned from Washington, my home State of New Jersey ranks 50 out of 50, dead last. So, quite honestly, I don't apologize for looking after my State, my public and private universities, because we want the best of America to be well educated, and I think the investments we're making in science, math, technology, and engineering in New Jersey and colleges and universities across the country is money well spent.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, again I would say if we're not going to cut spending here, where are we going to do it? If we can't say that we are not going to give a million dollar grant to a private university that just received a million dollar grant, or close to, from the Mellon Foundation for an almost identical purpose, a private university that has an endowment of \$268 million while we have a public debt of about \$11 trillion and a deficit this year of \$2 trillion, if we can't decide that we are not going to give a million dollar earmark in this manner, where are we going to cut? When are we going to say enough is enough? We're spending too much.

So I commend those who are looking for ways to save, but I have to remain a little skeptical if we can't do away with programs like this, with earmarks like this.

With that, I urge support of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 91 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 91 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 91 offered by Mr. FLAKE:  
At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ . None of the funds provided in this Act under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" shall be available for the Science Education Through Exploration project of the JASON Project, Ashburn, Virginia, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$4,000,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would strike a \$4 million earmark for the JASON Project and lower the overall cost of the bill by a commensurate amount.

The JASON Project was founded in 1989. It's been around for 18 years. According to their Web site, the purpose of the organization is to design science curriculum for fifth- to eighth-grade classrooms.

We all know that science is important for any child's education, and if local schools wish to supplement their science curriculum with the services provided by the JASON Project, I believe they certainly should have that choice.

However, this earmark is going to the JASON Project organization, not to the schools who wish to purchase its products. This \$4 million earmark is one of the largest in this year's CJS bill, and I remain unconvinced that JASON is so desperately in need of Federal funding.

In 1995 JASON became a subsidiary of National Geographic, one of the world's largest nonprofit science and educational organizations. In addition to the funding it receives from National Geographic, JASON is also partners with NASA and the National Oceanic and Atmospheric Administration. The Motorola Foundation, Shell Oil Company, and Microsoft also provide funding for JASON.

Why, with so many resources, does the JASON Project still receive earmarks year after year after year? This

is just the latest year that we have challenged this earmark on the floor, and we're always told it's vital, we've got to have it. Next year, it's vital, we've got to have it. When does the \$4 million a year stop?

According to the JASON Project, support from all of these groups enables the organization to offer its educational resources online for free. However, all of JASON's curriculum materials must be purchased, costing schools \$788 for a classroom pack and about \$2,500 for a school pack. In 2007 the JASON Project was the recipient of a \$2.2 million earmark. Last year JASON received \$5.6 million from the Federal Government.

The JASON Project has been so effective in securing money that its Web site offers tips for teachers in securing funds from local entities in order to buy JASON products. So here's what they offer: They offer tips to teachers to go out and secure funds from local entities in order to buy JASON products.

If the JASON Project can't continue its operations without Federal funds after 18 years, I think you have to question its effectiveness. We have to stop funding projects like this year after year after year.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. I thank the gentleman for yielding, and I want to thank Chairman MOLLOHAN for his outstanding leadership as chairman of the Subcommittee on Commerce, Justice, Science.

Mr. Chairman, I rise in opposition to the Flake amendment to strike funding from the Commerce, Justice, Science Appropriations bill for the JASON Project. And I, again, do want to thank Chairman MOLLOHAN in particular for his unwavering support of this important program, which ultimately results in its being a public-private partnership, which, I think, is a great example of how to invest in education.

The JASON Project was first created by Dr. Bob Ballard. Many of you may remember Dr. Ballard was the famed underwater explorer who found the Titanic. And Dr. Ballard has a real passion for children in educating the next generation.

I've had the opportunity to work with Dr. Ballard at the University of Rhode Island on science education initiatives, and I am grateful for his work to establish the JASON Project and for his dedication to training and inspiring future scientists.

As Congress addresses today's economic challenges, we must be vigilant in giving our future generation the tools that they need to succeed. The

gentleman from Arizona noted the deficit that our country faces. Well, how are we going to get out of our deficit and ensure that we are creating wealth for the future, that we are creating prosperity for our country if we don't invest in our young people, if we don't invest in our future? That's what the science, technology, engineering, and mathematics programs in particular do. They make sure that we are educating our young people who are going to be the job creators, the problem solvers, the innovators of tomorrow. We're investing in our young people.

STEM education has become a common theme during this debate tonight, and the JASON Project focuses on just that. Since 1989 the JASON curriculum, which is a free curriculum, has been distributed to over 7 million students and teachers. JASON fosters critical thinking and problem-solving while engaging students in real hands-on science, helping them understand complex scientific concepts.

I urge Members to vote "no" on this amendment and support funding to encourage and inspire our next generation of critical thinkers by supporting the JASON Project.

Again I want to thank Chairman MOLLOHAN for his unwavering support of this vitally important program.

Mr. MOLLOHAN. I thank the gentleman from Rhode Island.

Mr. Chairman, I thank the gentleman from Arizona for the opportunity to stand up and speak about and in favor of the JASON Project.

For those who might not know, the JASON Project is a powerful education program, as Mr. LANGEVIN just described, promoting hands-on learning, science learning, that connects primarily fifth-grade and eighth-grade students and their teachers with great explorers, scientists, role models, cutting-edge research.

This subcommittee, Mr. Chairman, held a number of hearings on science education. It's a topic of great concern for the subcommittee as we fund the National Science Foundation and NASA and NOAA, all agencies that have wonderful science programs, and they also have an education mission.

□ 2340

So we sponsored these hearings to try to determine what is the best educational experience, how do we effectively promote science education among our youth, a challenge that is difficult to me.

The subcommittee heard from Dr. Harold Pratt, former president of the National Science Teachers Association, and Bill Nye the Science Guy—if Members on the floor don't know who he is, their children certainly do—underscores the critical need for science education programs, such as the JASON Project, to attract America's youth to science disciplines and to better equip our teachers through professional development.

Both of our witnesses agree that the struggle to attract and to retain stu-

dents to science begins early, begins in elementary school, and that the preparation and education of science teachers is one of the most important elements in that recruitment. The JASON Program, which was founded in 1989 by Dr. Robert Ballard, who discovered the Titanic, has helped inspire and motivate more than 7 million students and teachers to become more proficient in science. And I can't think of a program that has a better return on investment than one that has reached so many and that has such a profound impact on America's innovation and competitiveness in the long run.

It does one other thing, Mr. Chairman: It promotes the private-public partnerships that the gentleman, who is the author of the amendment, frequently alludes to. It's a wonderful program. It serves the Nation. And I urge a "no" vote on the amendment.

I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, we talk a lot about investment here. And it seems that when we want to spend money that we don't have, we call it an investment and assume everybody is going to be okay with it. We've invested so much that we have a \$2 trillion deficit now. We've got to stop investing, spending, whatever you want to call it, if we want to get out of this deficit; and this seems a perfect place to start.

The Member mentioned that this is money well spent, that it's a great return on investment. I'll tell you what was a great return on investment. Over the past decade, the JASON Project has spent about \$1 million lobbying the Federal Government, in most cases, I think, lobbying for earmarks like this. For that \$1 million, they've invested in lobbying this body. They've received tens of millions of dollars in earmarks. That's a pretty good investment, if you ask me; but it's nothing that we ought to just be proud of taking part in. At some point we've got to say, hey, there are a lot of private organizations that are helping this organization. At some point they need to be weaned off of Federal dollars. I would submit that \$4 million in an earmark this year, when we have a deficit of \$2 trillion, is simply too much. If we're not going to stand up here on this, again, I have to ask, when are we going to stand up and start paring down this deficit? It's amazing that we just don't see a real commitment here in this body at this time to actually take control of Federal spending. It's unfortunate we're not seeing it on this earmark, from the sounds of it; but I'd like to urge support of it. Maybe now is the time that we'll stand up and say, Enough is enough. I urge support of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 84 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk, designated as amendment No. 84 in the CONGRESSIONAL RECORD.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 84 offered by Mr. FLAKE:  
At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds provided in this Act under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" shall be available for the Institute for Seafood Studies project of the Nicholls State University Department of Biological Sciences, Thibodaux, Louisiana, and the amount otherwise provided under such heading (and the portion of such amount specified for Congressionally-designated items) are hereby reduced by \$325,000.

The CHAIR. Pursuant to House Resolution 552, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Thank you, Mr. Chairman.

This amendment would remove \$325,000 in funding for the Institute for Seafood Studies at the Nicholls State University Department of Biological Sciences in Thibodaux, Louisiana, and reduce the overall cost of the bill by a commensurate amount. It's my understanding that this money would be used to fund the creation of an Institute for Seafood Studies with the purpose of increasing and coordinating research related to sustainable fisheries and the seafood industry.

Mr. Chairman, it would seem that we're developing a trend in the House, funding seafood earmarks. It seems a little fishy to me. We keep coming up with—there are lobster things, there are shrimp things, there are a lot of seafood things here in the bill, and then we never seem to be offsetting this spending anywhere else. It's just another earmark for this or for that or for this or for that.

Every year we approve earmarks for projects associated with lobsters, like I mentioned, crabs, mussels, oysters, whales, salmon, horseshoe crabs, trout, shrimp. The list goes on and on and on. And now we are going to approve an earmark that creates an institute, literally, to study seafood. It's not enough to fund all of these other things. Now we have to create an institute to study seafood. And I would venture a guess that we'll be back here next year with another earmark for that same program because now that we have an institute created by the Federal Government through an earmark, then who is going to sustain it but the Federal Government with another earmark and earmarks in perpetuity?

This earmark is only one of a thousand earmarks in this bill. As I mentioned, this is another example of where we always hear that Members know their districts best, but when you look at the earmarks funded in this legislation, you see the same spoils system that we see elsewhere.

Again, I have to ask, does an appropriator or does a member of the leadership or a ranking member or a chairman of the committee just happen to know his district that much better than a rank-and-file Member, that they should receive almost double in dollar amount and in number of the earmarks that are proffered by this institution? That sounds fishy to me as well.

We often get high-minded about, you know, we have to stand up for the prerogatives of the House and that we keep our ability to earmark because we know better than those faceless bureaucrats. But why do only some of the Members here know better? And it always seems to me that it is the same Members again and again.

With that, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 5 minutes to the distinguished Member from Louisiana (Mr. MELANCON).

Mr. MELANCON. I thank my friend. I thank Mr. FLAKE for his leadership on the issues of fiscal responsibility. As a Blue Dog Democrat, I appreciate the importance of fiscal responsibility; and getting our fiscal house in order is the best way to come out of this recession quickly, a recession caused by 8 years of irresponsible spending. And I am aware that my friend was one of the few people that continued to hawk his side of the aisle.

Part of fiscal responsibility is the need for legislators to prioritize spending, spending on projects that improve our constituents' safety, health and their livelihood. This institute will be working toward developing standards and guidelines for seafood safety as well as methods to advance sustainable fishing practices. In fact, this project dovetails nicely with the work being done in Energy and Commerce as we speak regarding the food safety bill and the issues that confront us. The rash of food-related illnesses and the deaths in the past few years highlight the vulnerability of our country and what we face from unsafe food sources and imports.

Louisiana is the number one producer in the continental United States of the most valuable commercial shellfish and finfish species, providing about one-third of the Nation's commercial seafood species. Our working coast sends fresh seafood around the country, including States in the West like Arizona. I remember spending one Mardi Gras week in meetings in Phoenix and enjoyed fresh crawfish from Louisiana

in Arizona restaurants. And that was because of the fact that our people in Louisiana try to bring the freshest and the best to the rest of the country.

So it's imperative that we have the ability to ensure that this valuable resource be kept safe and sustainable.

□ 2350

Why should we be using taxpayer funds? The seafood industry in Louisiana—and in many parts of the country, not just Louisiana—is a conglomerate of many small, single-owner businesses. Sometimes a member of the industry owns a single boat, and that is part of the industry that we know in south Louisiana along the entire gulf coast. And if you go throughout the fishing industry in the United States, you will find that does not differ a lot.

Many beneficial domestic policies have strong, positive impacts on all of our constituents. In the case of food safety and sustainability, all of our constituents—regardless of whether they're from the north, the west, the south, the east, middle-America—share in the peace of mind that they can feed their families with clean, healthy, safe food. While those benefits are shared by all, it makes sense that the costs be shared as well.

This project that we're discussing today focuses funding on food safety and sustainability in the location that produces a large portion of the Nation's seafood. By prioritizing the funding of the Institute for Seafood Studies at Nicholls State University, we are responsibly investing in a food supply that we can all enjoy. This is not just a Nicholls State University, a Third Louisiana District, a south Louisiana thing. This is about safe seafood, whether it's shrimp, whether it's fin fish, regardless. It's about the study and the making sure that the products that are delivered to America are safe for the people to consume.

With that, I urge a "no" vote on this amendment and hope that the Congress of the United States will recognize the importance of the working coast. We're not the Sun Coast, we are not the Sand Coast, we are not the Condominium Coast. We are the coast of the United States that produces over 30 percent of the seafood, and good quality, safe seafood that we hope to preserve.

Mr. FLAKE. Mr. Chairman, may I ask for the time remaining?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. FLAKE. First, this is the last amendment tonight. I want to thank the Members for staying around this long. I know their time is more valuable than mine, and I appreciate your indulgence here on this important process, and I apologize for keeping people this long, particularly those who came to defend their projects.

The Member mentioned that it's important that we think of the little guys here. The last time I checked, we have an \$11 trillion debt. That amounts to about \$36,000 per American, per person; for a family of four, obviously it's



much bigger than that. It's time we start looking out for them.

If we look at this bill itself, CJS, it's 12 percent bigger than it was last year. In the year that we're running record deficits every year, we're expanding this bill by 12 percent.

I appreciate what the Member said about the last 8 years. We missed a historic opportunity as Republicans to actually rein in spending. We didn't do it, to our eternal shame, and that's part of the reason we're smack dab in the minority today. We put ourselves on a course toward a fiscal cliff.

But now we're still headed toward that fiscal cliff. And with bills like this that cost 12 percent more than last year, we've stepped on the accelerator. Why are we doing that? And if we can't stop creating new institutes to study seafood or anything else, then where are we going to cut? Where is the fiscal responsibility that we keep hearing about that's being employed? I just can't see it here.

And like I said, we're creating a new institute here, a new institute that will now be reliant, I'm sure—I will bet just about anything that we will be back next year with another earmark for that same seafood institute that we just created because we've just got to keep it going now. And that will just add more to the deficit. Remember, we have to spend more every year.

I urge support of the amendment.

With that, I yield back the balance of my time.

The CHAIR. The gentleman from West Virginia has 1 minute remaining.

Mr. MOLLOHAN. I just wanted to mention to the gentleman from Arizona that I don't know if it's making him feel any better about the 12-percent increase in the bill, which he accurately notes, but approximately 7 percent of that—maybe a little more than 7 percent of that is the increase in Census, about \$4 billion to prepare for the 2010 census. It's an unusual increase, and it is directly related to the census and would be a short-term funding increase for that.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

The CHAIR. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. OBEY. I just want to take this occasion to express my sympathy to the gentleman on his loss this evening. I'm not talking about anything that happened here on the floor, but I understand he was a victim in a 15-10 drubbing of the Republicans in the con-

gressional baseball game by the Democrats. And I understand that despite the fact that the gentleman hit a triple, alas it was in a losing cause. We know how you feel. We've felt it many times in the last decade.

Mr. FLAKE. Will the gentleman yield?

Mr. OBEY. Yes.

Mr. FLAKE. I thank the gentleman not at all for bringing that up. I had hoped to improve my batting average by coming to the floor tonight, and it doesn't seem that I have. So I will have to settle for the one triple.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. OBEY. Surely.

Mr. MOLLOHAN. I just wanted to tell the gentleman from Arizona that learning that makes us all feel, on this side of the aisle, better about waiting for him tonight.

Mr. OBEY. I yield back.

Mr. MOLLOHAN. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. OBEY) having assumed the chair, Mr. ALTMIRE, Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, had come to no resolution thereon.

#### ADJUSTMENT TO THE BUDGET ALLOCATIONS FOR THE HOUSE COMMITTEE ON APPROPRIATIONS FOR EACH OF THE FISCAL YEARS 2009 AND 2010

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Mr. Speaker, under section 423(a)(1) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit for printing in the CONGRESSIONAL RECORD an adjustment to the budget allocations for the Committee on Appropriations for each of the fiscal years 2009 and 2010. Section 423(a)(1) of S. Con. Res. 13 permits the chairman of the Committee on the Budget to adjust discretionary spending limits for overseas deployments and other activities when these activities are so designated. Such a designation is included in the bill H.R. 2892, Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes. Corresponding tables are attached.

This adjustment is filed for the purposes of section 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this adjusted allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

#### DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

	BA	OT
Current allocation:		
Fiscal Year 2009 .....	1,482,201	1,247,872
Fiscal Year 2010 .....	1,086,418	1,306,420
Changes for overseas deployment and other activities designations: H.R. 2892 (Appropriations for Homeland Security):		
Fiscal Year 2009 .....	0	0
Fiscal Year 2010 .....	242	194
Revised allocation:		
Fiscal Year 2009 .....	1,482,201	1,247,872
Fiscal Year 2010 .....	1,086,660	1,306,614

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. BACHMANN (at the request of Mr. BOEHNER) for today and the balance of the week on account of the serious illness of her stepmother.

Mr. BONNER (at the request of Mr. BOEHNER) for June 16 until 4 p.m. on account of attending events with Alabama's Governor and other elected leaders to recruit significant economic development projects for the First District of Alabama.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today until 4 p.m. on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ALTMIRE) to revise and extend their remarks and include extraneous material:)

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. FLAKE) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, June 23 and 24.

Mr. JONES, for 5 minutes, June 23 and 24.

Mr. MORAN of Kansas, for 5 minutes, June 23 and 24.

#### ADJOURNMENT

Mr. ALTMIRE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Thursday, June 18, 2009, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2245. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — South American Cactus Moth; Quarantine and Regulations [Docket No.: APHIS-

2006-0153] (RIN: 0579-AC25) received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2246. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36 on Pistachio; Extension of Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-0158; FRL-8416-7] received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2247. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Triflurizole; Pesticide Tolerances [EPA-HQ-OPP-2007-0312; FRL-8414-6] received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2248. A letter from the Principal Deputy Director of Defense Research and Engineering, Department of Defense, transmitting the Department's annual report describing the activities of the DPA Title III Fund, pursuant to 50 U.S.C. 2094(f)(3), section 304(f)(3); to the Committee on Financial Services.

2249. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Korea pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2250. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Annual Report entitled, "Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2008", pursuant to 21 U.S.C. 355, section 505(q)(3); to the Committee on Energy and Commerce.

2251. A letter from the Deputy Assistant Administrator/Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Lacosamide into Schedule V [Docket No.: DEA-325F] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2252. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Roof Crush Resistance; Phase-In Reporting Requirements [Docket No.: NHTSA-2009-0093] (RIN: 2127-AG51) received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2253. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Diego Air Pollution Control District [EPA-R09-OAR-2009-0314; FRL-8906-1] received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2254. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Carbon Monoxide Limited Maintenance Plan for Providence, Rhode Island [EPA-R01-OAR-2008-0796; A-1-FRL-8785-6] received June 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2255. A letter from the Chief of Staff, Media Bureau, Federal Communication Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Nevada City and Mineral, California) [MB Docket No.: 09-9 RM-

11511] received May 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2256. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Williston, South Carolina) [MB Docket No.: 08-201 RM-11478] received May 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2257. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Beatty and Goldfield, Nevada) [MB Docket No.: 08-68 RM-11421] received May 29, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2258. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Fort Wayne, Indiana) [MB Docket No.: 08-208 RM-11495] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2259. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Williston, North Dakota) [MB Docket No.: 08-140 RM-11470] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2260. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Yuma, Arizona) [MB Docket No.: 08-163 RM-11482] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2261. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (South Bend, Indiana) [MB Docket No.: 08-102 RM-11439] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2262. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — In the Matter of Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations. (Buffalo, New York) [MB Docket No.: 09-46 RM-11524] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2263. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Electric Reliability Organization Interpretations of Specific Requirements of Frequency Response and Bias and Voltage and Reactive Control Reliability Standards [Docket No.: RM08-16-000] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2264. A letter from the General Counsel, FERC, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Western Electricity Coordinating Council Regional Reliability Standard Re-

garding Automatic Time Error Correction [Docket No.: RM08-12-000; Order No.723] received May 26, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2265. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM 100 Revision 6 [NRC-2009-0132] (RIN: 3150-AI60) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2266. A letter from the Assistant Director for Policy, OFAC, Department of Treasury, transmitting the Department's final rule — Sudanese Sanctions Regulations — received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

2267. A letter from the Chair, United States Commission on International Freedom, transmitting the Commission's 2009 Annual Report documenting serious abuses of freedom of thought, conscience, religion, and belief around the world, pursuant to Public Law 107-228, section 202(a); to the Committee on Foreign Affairs.

2268. A letter from the Shareholder, Congressional Medal of Honor Society, transmitting the Society's annual financial report for 2007, pursuant to 36 U.S.C. 1101; to the Committee on the Judiciary.

2269. A letter from the National Chairman Naval Sea Cadet Corps, U.S. Naval Sea Cadet Corps, transmitting the Corp's 2008 Annual Audit along with the 2008 Annual Report, pursuant to Public Law 87-655; to the Committee on the Judiciary.

2270. A letter from the Attorney — Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Dutch Shoe Regatta; San Diego Harbor, San Diego, CA [Docket No.: USCG-2008-1253] (RIN: 1625-AA00) received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2271. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds [Docket No.: BPD GSRs 09-01] [Department of the Treasury Circular, Public Debt Series No. 1-93] received June 9, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2272. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Certain Employer-Owned Life Insurance Contracts [Notice 2009-48] received May 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2273. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Section 51 — Work Opportunity Tax Credit [Notice 2009-28] received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2274. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Information Reporting for Lump-Sum Timber Sales [TD 9450] (RIN: 1545-BE73) received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2275. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Substantiating Business Use of Employer-Provided Cell Phones [Notice 2009-46] received June 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2276. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's final rule — Tier I Issue — International Hybrid Instrument Transactions [LMSB Control No: LMSB-4-0509-122 Impacted IRM 4.51.5] received May 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2277. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Non-business Energy Property [Notice 2009-53] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2278. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier I Issue: I.R.C. Section 118 Abuse Directive #7 — received June 10, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2279. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Guidance under Section 409A(a)(2)(A)(v) on certain transactions pursuant to the Emergency Economic Stabilization Act of 2008 [Notice 2009-49] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2280. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Tier I Issue: Section 118 Abuse Directive #8 [LMSB Control No.: LMSB-PQ-0509-130 Impacted IRM 4.51.5] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2281. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Cox v. Commissioner, 514 F.3d 1119 (10th Cir. 2008), rev'g 126 T.C. 237 (2006). [IRB No.: 2009-22] received June 8, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2282. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's eighth annual report concerning fraud by businesses or individuals that market advice or assistance to students and parents who may be seeking financial aid for higher education; jointly to the Committees on Education and Labor and the Judiciary.

2283. A letter from the Inspector General, Special Inspector General for Iraq Reconstruction, transmitting the Special Inspector General for Iraq Reconstruction (SIGIR) April 2009 Quarterly Report, pursuant to Public Law 108-106, section 3001; jointly to the Committees on Foreign Affairs and Appropriations.

2284. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Revisions to FY 2009 Medicare Severity-Long-term Care Diagnosis-Related Group (MS-LTC-DRG) Weights [CMS-1337-IFC] (RIN: 0938-AP76) received June 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONYERS: Committee on the Judiciary. House Resolution 520. Resolution impeaching Samuel B. Kent, judge of the United States District Court for the Southern District of Texas, for high crimes and misdemeanors (Rept. 111-159). Referred to the House Calendar.

Ms. WASSERMAN SCHULTZ: Committee on Appropriations. H.R. 2918. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111-160). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY of Massachusetts (for himself, Mr. VAN HOLLEN, and Mr. WELCH):

H.R. 2908. A bill to provide for the sale of light grade petroleum from the Strategic Petroleum Reserve and its replacement with heavy grade petroleum; to the Committee on Energy and Commerce.

By Mr. McDERMOTT:

H.R. 2909. A bill to amend title XI of the Social Security Act to provide for an improved method to measure poverty so as to enable a better assessment of the effects of programs under the Social Security Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself, Ms. SCHWARTZ, Mr. REICHERT, and Mr. HERGER):

H.R. 2910. A bill to amend the Internal Revenue Code of 1986 to provide for S corporation reform, and for other purposes; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Ms. BALDWIN, Mr. LEVIN, and Mr. PASCRELL):

H.R. 2911. A bill to improve end-of-life care; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. MARIO DIAZ-BALART of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, and Ms. WASSERMAN SCHULTZ):

H.R. 2912. A bill to authorize and request the President to award the congressional Medal of Honor posthumously to Captain Felix Sosa-Camejo for his gallant and heroic actions during the Vietnam War, ending with his death in combat on February 13, 1968; to the Committee on Armed Services.

By Ms. ROS-LEHTINEN (for herself, Ms. WASSERMAN SCHULTZ, Mr. MACK, Mr. ROONEY, Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. MEEK of Florida, Mr. HASTINGS of Florida, and Mr. MARIO DIAZ-BALART of Florida):

H.R. 2913. A bill to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the "Sidney M. Aronovitz United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ:

H.R. 2914. A bill to amend the Food, Conservation, and Energy Act of 2008 to terminate marketing assistance loans and loan deficiency payments for mohair producers; to the Committee on Agriculture.

By Mr. CHAFFETZ:

H.R. 2915. A bill to prohibit United States contributions to the International Fund for

Ireland; to the Committee on Foreign Affairs.

By Mr. CHAFFETZ:

H.R. 2916. A bill to provide that no recreation grants made using funds from the Land and Water Conservation Fund may be used to acquire land or make improvements in State or local parks; to the Committee on Natural Resources.

By Mr. LIPINSKI:

H.R. 2917. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for advertising prescription drugs; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 2919. A bill to amend part B of title XVIII of the Social Security Act to provide Medicare physician incentive payments for efficient areas; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER (for himself, Mr.

GEORGE MILLER of California, Mr. HILL, Mr. WELCH, Mr. SPRATT, Mr. ALTMIRE, Mr. ANDREWS, Mr. ARCURI, Mr. BACA, Mr. BAIRD, Mr. BARROW, Ms. BEAN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BOCCIERI, Mr. BOREN, Mr. BOSWELL, Mr. BOYD, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. BRIGHT, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Ms. CASTOR of Florida, Mr. CHANDLER, Mr. CHILDERS, Mr. CLYBURN, Mr. CONNOLLY of Virginia, Mr. COOPER, Mr. COSTA, Mr. COURTNEY, Mr. CROWLEY, Mr. CUELLAR, Mrs. DAHLKEMPER, Mr. DAVIS of Alabama, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAUNO, Mr. DONNELLY of Indiana, Mr. DRIEHAUS, Mr. EDWARDS of Texas, Mr. ELLSWORTH, Ms. ESHOO, Mr. ETHERIDGE, Mr. FATTAH, Mr. POSTER, Ms. FUDGE, Ms. GIFFORDS, Mr. GONZALEZ, Mr. GORDON of Tennessee, Mr. GENE GREEN of Texas, Mr. GRIFFITH, Mr. GUTIERREZ, Mrs. HALVORSON, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HEINRICH, Ms. HERSETH SANDLIN, Mr. HIGGINS, Mr. HIMES, Mr. HODES, Mr. HOLDEN, Mr. INSLEE, Mr. JOHNSON of Georgia, Mr. KAGEN, Mr. KANJORSKI, Ms. KILROY, Mrs. KIRKPATRICK of Arizona, Mr. KISSELL, Mr. KLEIN of Florida, Ms. KOSMAS, Mr. KRATOVL, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LIPINSKI, Mr. LOEBBACH, Mr. LUJAN, Mr. LYNCH, Mr. MAFFEI, Mrs. MALONEY, Ms. MARKEY of Colorado, Mr. MARSHALL, Mr. MASSA, Mr. MATHESON, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCMAHON, Mr. MCNERNEY, Mr. MELANCON, Mr. MINNICK, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MURPHY of New York, Mr. NYE, Mr. PASCRELL, Ms. PELOSI, Mr. PERLMUTTER, Mr. PERRIELLO, Mr. PETERS, Mr. PETERSON, Mr. PIERLUISI, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. REYES, Mr. RODRIGUEZ, Mr. ROSS, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SALAZAR, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Mr. SCHAUER, Mr. SCHIFF, Mr. SCHRADER, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia,

Mr. SESTAK, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SHULER, Mr. SIRE, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. SPACE, Ms. SPEIER, Mr. STUPAK, Mr. TANNER, Mrs. TAUSCHER, Mr. TEAGUE, Mr. THOMPSON of California, Ms. TITUS, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. WAXMAN, Mr. WEXLER, Mr. WILSON of Ohio, Mr. WU, Mr. TONKO, and Mr. VISCLOSKEY):

H.R. 2920. A bill to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration; to the Committee on the Budget.

By Mr. BLUMENAUER:

H.R. 2921. A bill to amend title XVIII of the Social Security Act to provide for an annual review by the Medicare Payment Advisory Commission on geographic access to services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLAKE:

H.R. 2922. A bill to establish a downpayment requirement for Rural Housing Service direct and guaranteed single-family home loan programs, to repeal the downpayment assistance initiative under subtitle E of title II of the Cranston-Gonzalez National Affordable Housing Act, and to prohibit use of amounts provided under certain other programs for downpayment assistance; to the Committee on Financial Services.

By Mr. GORDON of Tennessee (for himself, Mr. SENSENBRENNER, Ms. BORDALLO, Mr. CARNAHAN, Mr. CARNEY, Mr. WAMP, Mr. MATHESON, Mr. CHANDLER, Mr. DAVIS of Tennessee, and Mr. DONNELLY of Indiana):

H.R. 2923. A bill to enhance the ability to combat methamphetamine; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida (for himself, Mr. PAYNE, and Mr. KUCINICH):

H.R. 2924. A bill to establish a commission to study the culture and glorification of violence in America; to the Committee on the Judiciary.

By Mr. HOEKSTRA (for himself, Mr. EHLERS, Mr. HELLER, and Mr. BARRETT of South Carolina):

H.R. 2925. A bill to amend the Public Health Service Act to provide for community projects that will reduce the number of individuals who are uninsured with respect to health care, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NYE (for himself and Ms. ROS-LEHTINEN):

H.R. 2926. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide, without expiration, hospital care, medical services, and nursing home care for certain Vietnam-era veterans exposed to herbicide and veterans of the Persian Gulf War; to the Committee on Veterans' Affairs.

By Mr. PASCRELL (for himself, Mr. JONES, Mr. MICHAUD, Ms. KAPTUR, Mr. ROTHMAN of New Jersey, Mr. BARRETT of South Carolina, Mr. WESTMORELAND, and Ms. SUTTON):

H.R. 2927. A bill to authorize the imposition of a tax on imports from any country that employs indirect taxes and grants re-

bates of the same upon export and to authorize compensatory payments to eligible United States exporters to neutralize the discriminatory effect of such taxes paid by such exporters if United States trade negotiating objectives regarding border tax treatment in World Trade Organization negotiations are not met; to the Committee on Ways and Means.

By Mr. PERRIELLO:

H.R. 2928. A bill to amend title 38, United States Code, to provide for an apprenticeship and on-job training program under the Post-9/11 Veterans Educational Assistance Program; to the Committee on Veterans' Affairs.

By Mr. SARBANES (for himself and Mr. BRALEY of Iowa):

H.R. 2929. A bill to enhance the primary care workforce through the establishment of a National Health Workforce Advisory Board and the provision of workforce data and analysis; to the Committee on Energy and Commerce.

By Mr. SARBANES (for himself and Mr. BRALEY of Iowa):

H.R. 2930. A bill to enhance the primary care workforce through modifications to the medical residency training programs and use of qualified teaching health centers and through State primary care scholarship and loan repayment programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TEAGUE (for himself and Mr. MURPHY of New York):

H.R. 2931. A bill to direct the Secretary of Defense to adopt a program of professional and confidential screenings for members of the armed forces on active duty to detect mental health conditions for the purpose of reducing the incidence of suicide among such members and veterans, and to detect traumatic brain injuries, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLEAVER (for himself, Mr. CLAY, and Mr. GRAVES):

H. Con. Res. 155. Concurrent resolution supporting the goals and ideals of "Complaint Free Wednesday"; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. SHERMAN, Mr. BURTON of Indiana, Mr. INGLIS, Mr. MCCAUL, Mr. POE of Texas, Mr. MANZULLO, Mr. MACK, Mr. BILIRAKIS, Mr. WILSON of South Carolina, Mr. KLEIN of Florida, Ms. BERKLEY, Ms. HARMAN, Mrs. MALONEY, Mr. ROTHMAN of New Jersey, Mr. WEXLER, Mr. MCGOVERN, and Mr. ENGEL):

H. Con. Res. 156. Concurrent resolution condemning the attack on the AMIA Jewish Community Center in Buenos Aires, Argentina, in July 1994, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LATTI (for himself, Mr. KLEIN of Florida, Mr. KENNEDY, Ms. FUDGE, Mr. ROONEY, Mr. MCINTYRE, Mr. SESTAK, Ms. KAPTUR, Mr. YOUNG of Alaska, Mr. MEEK of Florida, Mr. ARCURI, and Mr. LIPINSKI):

H. Con. Res. 157. Concurrent resolution expressing the support of the Congress for a National Senior Citizens Day; to the Committee on Oversight and Government Reform.

By Ms. WATERS (for herself, Mr. GUTIERREZ, Mr. CLAY, Mr. AL GREEN of Texas, Mr. ELLISON, and Mr. GRAYSON):

H. Res. 553. A resolution expressing the sense of the House of Representatives that the Secretary of the Treasury and the Chairman of the Board of Governors of the Federal Reserve System should protect and enhance consumer and business access to credit by utilizing the provisions of the Federal Reserve Act and the Emergency Economic Stabilization Act of 2008, and reserving access to liquidity programs for those financial institutions that have maintained or increased lending activities since the height of our economic crisis in October 2008; to the Committee on Financial Services.

By Mr. BAIRD (for himself and Mr. CULBERSON):

H. Res. 554. A resolution amending the Rules of the House of Representatives to require that legislation and conference reports be available on the Internet for 72 hours before consideration by the House, and for other purposes; to the Committee on Rules.

By Mr. SCHIFF:

H. Res. 555. A resolution expressing concern for the well-being of journalists Laura Ling and Euna Lee and urging the Government of the Democratic People's Republic of Korea to release them on humanitarian grounds; to the Committee on Foreign Affairs.

By Mr. HIMES (for himself, Mr. LARSON of Connecticut, and Mr. KANJORSKI):

H. Res. 556. A resolution recognizing the 75th anniversary of the passage of the Federal Credit Union Act and the vibrant Federal credit union community that was created as a result of this important piece of legislation; to the Committee on Financial Services.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. LEVIN.

H.R. 213: Mr. MORAN of Kansas.

H.R. 327: Mrs. CHRISTENSEN.

H.R. 450: Mr. HUNTER, Mr. THOMPSON of Pennsylvania, and Mr. POSEY.

H.R. 460: Mr. PRICE of North Carolina.

H.R. 468: Ms. CLARKE.

H.R. 571: Mr. YARMUTH and Mr. FRANK of Massachusetts.

H.R. 621: Mr. GOODLATTE, Mr. HONDA, Mr. CAMPBELL, Mr. LATHAM, Mr. HOLDEN, Mr. WALZ, Mr. COSTA, Mr. KENNEDY, Mr. HALL of Texas, and Mr. JOHNSON of Illinois.

H.R. 634: Mr. POSEY.

H.R. 636: Mr. MORAN of Kansas.

H.R. 667: Mr. RODRIGUEZ and Mrs. KIRKPATRICK of Arizona.

H.R. 690: Mr. CONNOLLY of Virginia, Mr. LAMBORN, Mr. GOHMERT, Mr. CONAWAY, Mr. BONNER, Mr. FRANKS of Arizona, Mr. OLSON, Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. FLEMING, Mr. PAULSEN, Mr. BROUN of Georgia, Ms. FALLIN, Mr. JORDAN of Ohio, Mr. SHADEGG, Mr. HENSARLING, Mr. BARTLETT, Mr. PITTS, Mr. TURNER, Mr. TIAHRT, and Mr. DANIEL E. LUNGREN of California.

H.R. 877: Mr. MORAN of Kansas.

H.R. 1020: Mr. SPACE, Mr. DICKS, Mr. WAXMAN, Mr. SARBANES, Mr. LANGEVIN, Mr. DOYLE, Mr. GENE GREEN of Texas, Ms. DEGETTE, Mr. BACA, Mr. DAVIS of Illinois, and Mr. PAYNE.

H.R. 1064: Mr. PERLMUTTER, Ms. KILROY, Ms. ESHOO, Mr. KAGEN, Mr. HILL, and Mr. DOGGETT.

H.R. 1080: Ms. PINGREE of Maine.

H.R. 1128: Mr. MASSA.

H.R. 1129: Mr. SHULER.

H.R. 1177: Mr. CLAY.  
 H.R. 1191: Mr. STARK.  
 H.R. 1203: Mr. MITCHELL.  
 H.R. 1207: Ms. KOSMAS and Ms. SLAUGHTER.  
 H.R. 1249: Mr. ELLISON.  
 H.R. 1255: Mr. CASSIDY, Mr. GARY G. MILLER of California, and Mr. GUTHRIE.  
 H.R. 1327: Mr. FRANKS of Arizona, Mr. SCHAUER, and Mr. CULBERSON.  
 H.R. 1330: Ms. KILPATRICK of Michigan.  
 H.R. 1339: Mr. KING of New York, Mr. HOLDEN, Mr. DOYLE, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. LIPINSKI, and Mr. JACKSON of Illinois.  
 H.R. 1361: Mr. STARK.  
 H.R. 1402: Mr. ELLSWORTH, Mr. PIERLUISI, Mr. ROSS, Mr. SARBANES, and Ms. KILPATRICK of Michigan.  
 H.R. 1457: Mr. KENNEDY.  
 H.R. 1458: Mr. PETERS, Mr. GARRETT of New Jersey, Mr. PAYNE, and Mr. VAN HOLLEN.  
 H.R. 1466: Mr. JACKSON of Illinois.  
 H.R. 1470: Mr. TERRY.  
 H.R. 1476: Mr. NADLER of New York and Mrs. MALONEY.  
 H.R. 1479: Mr. BLUMENAUER.  
 H.R. 1499: Mr. WATT.  
 H.R. 1503: Mr. CAMPBELL.  
 H.R. 1505: Mr. WILSON of Ohio and Mr. TIBERI.  
 H.R. 1552: Mr. HONDA and Mr. BOUCHER.  
 H.R. 1569: Mr. CUMMINGS and Mr. KUCINICH.  
 H.R. 1584: Mr. STEARNS.  
 H.R. 1585: Mr. DAVIS of Illinois.  
 H.R. 1612: Mr. BISHOP of Georgia, Mrs. NAPOLITANO, Mr. GUTIERREZ, Mr. KUCINICH, and Mr. BACA.  
 H.R. 1646: Ms. GINNY BROWN-WAITE of Florida.  
 H.R. 1670: Ms. WATERS.  
 H.R. 1685: Ms. WOOLSEY.  
 H.R. 1700: Ms. DEGETTE, Ms. LEE of California, Ms. TITUS, and Mr. CAO.  
 H.R. 1705: Mr. PETERS, Mr. PASTOR of Arizona, and Mr. LYNCH.  
 H.R. 1708: Mr. YOUNG of Alaska.  
 H.R. 1710: Mr. EHLERS.  
 H.R. 1718: Mr. LEWIS of Georgia.  
 H.R. 1744: Mr. LINCOLN DIAZ-BALART of Florida, Mr. HINOJOSA, Mr. LINDER, and Mr. DEAL of Georgia.  
 H.R. 1799: Mr. TONKO and Mr. CARTER.  
 H.R. 1869: Mr. SMITH of Washington.  
 H.R. 1880: Mr. COOPER and Mrs. HALVORSON.  
 H.R. 1881: Mr. BOSWELL and Mr. LIPINSKI.  
 H.R. 1894: Mr. CONNOLLY of Virginia and Mr. KLEIN of Florida.  
 H.R. 1934: Mr. BISHOP of New York.  
 H.R. 1970: Mr. LOBIONDO, Mr. KLEIN of Florida, and Mr. MCMAHON.  
 H.R. 1990: Ms. GIFFORDS.  
 H.R. 1993: Mr. KAGEN.  
 H.R. 2057: Mr. COHEN, Ms. JACKSON-LEE of Texas, and Mr. LEWIS of Georgia.  
 H.R. 2062: Mr. BERMAN.  
 H.R. 2076: Mrs. NAPOLITANO.  
 H.R. 2089: Mr. KLEIN of Florida, Mr. FILNER, and Mr. HONDA.  
 H.R. 2119: Mr. PENCE.

H.R. 2132: Ms. MATSUI.  
 H.R. 2144: Mr. NEUGEBAUER.  
 H.R. 2148: Mr. ISRAEL.  
 H.R. 2194: Mr. FRANKS of Arizona, Mr. SCHAUER, Mr. BONNER, Mr. DRIEHAUS, Mr. SESSIONS, Mr. STEARNS, and Mrs. BIGGERT.  
 H.R. 2203: Mr. ROHRBACHER, Mrs. BLACKBURN, Mr. RADANOVICH, Mr. CARNEY, Mr. GORDON of Tennessee, and Ms. CLARKE.  
 H.R. 2287: Mr. POSEY.  
 H.R. 2296: Mr. ALTMIRE and Mr. BILBRAY.  
 H.R. 2304: Mr. LUCAS, Mr. BARTON of Texas, and Ms. GIFFORDS.  
 H.R. 2329: Mr. PRICE of North Carolina and Mr. SCOTT of Virginia.  
 H.R. 2338: Mr. LAMBORN.  
 H.R. 2339: Mr. HINCHEY, Mr. ANDREWS, Mr. HOLT, Ms. WATSON, Mr. ELLISON, Mr. SCOTT of Virginia, Ms. HIRONO, and Mr. HINOJOSA.  
 H.R. 2360: Mrs. DAHLKEMPER.  
 H.R. 2365: Mr. ISRAEL and Mr. BERMAN.  
 H.R. 2377: Ms. KILPATRICK of Michigan.  
 H.R. 2425: Mr. YOUNG of Alaska, Mr. TERRY, and Mr. MOORE of Kansas.  
 H.R. 2427: Mr. HALL of New York.  
 H.R. 2443: Mr. TONKO.  
 H.R. 2452: Mr. PUTNAM, Mr. REICHERT, and Mr. MCCARTHY of California.  
 H.R. 2456: Mr. COURTNEY.  
 H.R. 2459: Mr. SMITH of New Jersey.  
 H.R. 2474: Ms. HARMAN.  
 H.R. 2497: Mrs. MALONEY, Mr. CARNAHAN, Mr. HIGGINS, and Mr. LIPINSKI.  
 H.R. 2499: Mr. MCCARTHY of California, Mr. NUNES, Mr. DRIEHAUS, and Ms. CASTOR of Florida.  
 H.R. 2516: Ms. JENKINS.  
 H.R. 2517: Mr. HARE, Ms. SCHWARTZ, and Mr. BLUMENAUER.  
 H.R. 2525: Mr. KING of Iowa and Mr. LATHAM.  
 H.R. 2553: Ms. JENKINS.  
 H.R. 2554: Mr. MCMAHON.  
 H.R. 2560: Mrs. MALONEY and Mr. WELCH.  
 H.R. 2562: Mr. SIREs.  
 H.R. 2578: Mr. LEWIS of Georgia.  
 H.R. 2606: Mr. BISHOP of New York.  
 H.R. 2617: Mr. PRICE of North Carolina.  
 H.R. 2648: Mr. RUSH and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2655: Mr. ROONEY.  
 H.R. 2679: Mr. LEE of New York.  
 H.R. 2681: Ms. NORTON.  
 H.R. 2691: Mr. CARSON of Indiana, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mrs. MALONEY, Ms. BALDWIN, and Mr. MCMAHON.  
 H.R. 2693: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LUJÁN.  
 H.R. 2724: Mrs. CHRISTENSEN.  
 H.R. 2730: Mr. COHEN and Mr. SESTAK.  
 H.R. 2752: Mr. CAMPBELL and Mr. KLINE of Minnesota.  
 H.R. 2756: Mr. YOUNG of Alaska.  
 H.R. 2766: Mr. MCHUGH.  
 H.R. 2817: Mr. BISHOP of Georgia, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KILDEE.  
 H.R. 2828: Mr. ROE of Tennessee, Mr. COLE, and Mr. KINGSTON.

H.R. 2833: Ms. EDWARDS of Maryland.  
 H.R. 2846: Mr. MCCOTTER and Mr. SIMPSON.  
 H.R. 2881: Mr. YOUNG of Alaska.  
 H.J. Res. 1: Mr. GRIFFITH.  
 H.J. Res. 42: Mr. POSEY.  
 H. Con. Res. 2: Mr. MASSA.  
 H. Con. Res. 20: Mr. POE of Texas and Mr. FALEOMAVAEGA.  
 H. Con. Res. 144: Ms. BALDWIN, Mr. LOBIONDO, Mr. BOUCHER, Mr. RODRIGUEZ, Mr. CARSON of Indiana, Ms. MARKEY of Colorado, Mr. FRANK of Massachusetts, Mr. BISHOP of Georgia, Mr. MATHESON, Mr. WELCH, Mr. LANGEVIN, Mr. YOUNG of Alaska, Mr. FILNER, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.  
 H. Con. Res. 154: Mr. MORAN of Virginia, Mr. GUTIERREZ, Mr. KLEIN of Florida, Ms. BERKLEY, Mr. BISHOP of Georgia, Ms. CLARKE, Mrs. CHRISTENSEN, Mr. FATTAH, Ms. CORRINE BROWN of Florida, Ms. LEE of California, Mr. RANGEL, and Mrs. MCCARTHY of New York.  
 H. Res. 69: Ms. KILPATRICK of Michigan, Ms. BALDWIN, Mr. KIRK, and Ms. VELÁZQUEZ.  
 H. Res. 209: Mr. SCALISE, Ms. MATSUI, and Ms. LINDA T. SÁNCHEZ of California.  
 H. Res. 266: Mr. QUIGLEY.  
 H. Res. 334: Mr. CAO.  
 H. Res. 350: Mr. LIPINSKI.  
 H. Res. 395: Mr. WEXLER.  
 H. Res. 461: Mr. HALL of New York.  
 H. Res. 507: Mr. ALTMIRE, Mr. COSTA, Mr. MINNICK, and Mr. SIMPSON.  
 H. Res. 518: Mr. THOMPSON of California.  
 H. Res. 519: Mr. ELLISON, Mr. WILSON of South Carolina, Mr. MACK, Mr. KILDEE, and Mr. LATTA.  
 H. Res. 524: Mr. MCCOTTER.  
 H. Res. 534: Ms. BORDALLO, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LOBIONDO, and Mr. SMITH of Washington.  
 H. Res. 538: Mr. COHEN, Mr. VAN HOLLEN, Mr. BAIRD, Ms. WOOLSEY, Ms. WATERS, Mrs. LOWEY, Mr. ABERCROMBIE, Mr. SHERMAN, Mr. PRICE of North Carolina, Mr. FARR, Ms. GIFFORDS, Mrs. SLAUGHTER, Ms. DELAURO, Mr. LATOURETTE, Mr. ELLISON, Mr. MEEKS of New York, Mr. CARNEY, Mr. HONDA, Mr. BLUMENAUER, Mr. SNYDER, Ms. WATSON, Mr. COSTA, Mr. SCOTT of Georgia, Mr. HINOJOSA, Mr. DELAHUNT, Ms. KAPTUR, Mr. CLYBURN, Mr. FRANK of Massachusetts, Mr. KILDEE, Mr. PALLONE, Mr. DAVIS of Tennessee, Ms. SHEA-PORTER, Ms. SUTTON, Mr. MICHAUD, Mr. LARSEN of Washington, Mr. BISHOP of New York, Ms. KILROY, Mrs. CAPPS, and Ms. WASSERMAN SCHULTZ.  
 H. Res. 543: Ms. EDWARDS of Maryland, Ms. PINGREE of Maine, Mr. COURTNEY, Ms. LORETTA SANCHEZ of California, Mr. SNYDER, Mr. McDERMOTT, Ms. WOOLSEY, Mr. COSTELLO, Mr. SHERMAN, Mrs. LOWEY, Mrs. NAPOLITANO, Mr. CARNEY, Ms. LEE of California, Mr. SALAZAR, Mr. HONDA, Mr. SHULER, Mr. INSLEE, Ms. DEGETTE, Mr. CLYBURN, Mr. BUTTERFIELD, Mr. WATT, Mr. WELCH, Mr. PASCRELL, Mr. SHIMKUS, Mr. STUPAK, and Mr. DOYLE.